THE MEDIÆVAL CHURCH AND THE PAPACY

ARTHUR C. JENNINGS

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HANDBOOKS OF ENGLISH CHURCH HISTORY
General Editor:
JOHN HENRY BURN, B.D., F.R.S.E.
EXAMINING CHAPLAIN TO THE BISHOP OF ABERDEEN

THE MEDIÆVAL CHURCH AND THE PAPACY

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BY

ARTHUR C. JENNINGS, M.A.

RECTOR OF KING'S STANLEY, STONEHOUSE

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PREFACE BY THE GENERAL EDITOR

THE initial impulse to undertake the task of editing this series was given me, so far back as 1897, by the late Dr Mandell Creighton, Bishop of London. He was good enough to suggest the names of some of the writers whom I should invite to collaborate; and he drew up what he called "a rough scheme," of which the following is a modification.

I. The Foundations of the English Church (to A.D. 800).
II. The Anglo-Saxon Church and the Norman Conquest (A.D. 800-1135).
III. The Mediæval Church and the Papacy (A.D. 1135-1485).
IV. The Reformation Period (A.D. 1485-1603).
V. The Struggle with Puritanism (A.D. 1603-1702).
VI. The English Church in the Eighteenth Century.

The names of the six scholars, who have accepted the invitation to contribute to this series, are a sufficient guarantee that the work is conceived in no narrow spirit of partisanship, but with the earnest desire to do justice to all parties, whether religious or political. The Editor has thought it right to allow to each writer the utmost freedom of treatment consistent with the general plan of the series. If here and there this has resulted in some slight divergence of view between one volume and another, he believes that it will prove rather advantageous than detrimental to the utility of the work; for much would be lost, and very little gained, by preventing a writer from giving free expression to his own view of the facts, and of the inferences to be drawn from them.

J. H. BURN

THE PARSONAGE
BALLATER

INTRODUCTION

THE aim of this volume is to present our Church's story in its connexion with the religious life of Western Christendom, and more particularly in its relations to the Papacy. From the insular standpoint, the year of Stephen's accession is a fit *terminus a quo*. Our dynastic dispute enabled the Papacy to assume a position in England never hitherto tolerated, and Stephen's appeal to Innocent II. and Henry of Blois' legatine commission pave the way for the degrading homage eventually guaranteed by John. Nor was the trend of events otherwise abroad. The second Lateran Council of 1138 may be regarded as putting the headstone to Hildebrand's theory of ecclesiastical organization. In 1151 the publication of Gratian's Decretum buttressed it with a system of scientific Canon law. That our story finds its halting-place in 1185, and is not carried on into the Tudor period may be deemed justified by the close connexion of England's New Learning with the reign of Henry VII. Gratian is not more typical of his times than are Grocyn, Colet and Linacre of theirs, and it is a commonplace that the Reformation was as much indebted to the study of Greek as the mediæval Papacy to that of Canon law.

That our account deals largely with the seamy side of the papal *régime* is unavoidable, and this aspect must not be obscured by consciousness of

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the many evils traceable to the subsequent rupture of the Church's unity. It can hardly be alleged that England's unsatisfactory experience was unique. Contrariwise, many of the worst outcomes of the system were but imperfectly revealed to her. She knew little of the scandalous inner life of the papal court, experienced no Albigensian crusades, and escaped the horrors attending the suppression of the Knights Templars in France. If much has been said about the injustices and extortions connected with the curial system and legatine visitations, it must be borne in mind that these things were the subject of general complaint from the thirteenth century onwards. The orthodox reformers of the conciliar period — albeit vehemently denying the existence of doctrinal flaws — recognized a departure from primitive ideas of government fraught with the gravest evils to the Church.

In justice to the Papacy, it must be added that circumstances never gave scope in England to those salutary potentialities which may occasionally be connected with the Hildebrandine principle abroad. By a curious fatality two of the most meritorious popes—Innocent III. and Urban V.—were presented to us only in a repulsive aspect. It may be admitted, too, that England's fourteenth-century gravamens received a deeper colouring from the political conditions. The real grievance was not the extent of papal exactions, but their tendency to subsidize hostile France.

Protestant writers have perhaps exaggerated the evils connected with the papal interference with our bishoprics, and it would seem that the anti-papal

Statutes of the fourteenth century have often been quite misinterpreted in their relation to our civil liberties. Gross as was the abuse of the pope's appointment of non-resident foreigners to minor benefices, results usually commended his arbitration in the disputed elections to the sees. A study of the appointments to the high places in the Church will, in fact, probably suggest the conclusion that the papal choice was ordinarily much better directed than the king's. Usually the pope's aim was to maintain the *congé d'élire*, the king's to reduce it to the level of a formal fiction. It must be recognized that in this matter the Hildebrandine principle made for liberty and justice. If the Edwardian Statutes removed the danger of absolutism on the part of Rome, it was only to substitute a like claim for the sovereign himself. So far from Præmunire and Provisors Acts subserving the constitutional cause, they were frequently applied as engines of oppression, and we shall see them hereafter providing a foundation for the gross ecclesiastical tyranny of Henry VIII. Conversely, it is quite unwarrantable to assume that all advanced papalists were opposed to civil constitutional ideals. Grosseteste himself played an important part in their evolution, and the work of Stephen Langton was carried to its climax by the papalist primate Winchelsey.

The connexion of Wycliffism with the sixteenth-century Reformation has necessarily been excluded from this volume. On the other hand, some pages have been devoted to the great fifteenth-century Councils and the attempt of the orthodox reformers to deal with the corruptions of the Church. That this party failed was due to England and the concurrence of her French war with the Council of Constance. The importance of the death of Robert Hallam at the critical period of the Council has been sometimes overrated. It may, however, be fairly conjectured that, but for Henry V.'s preposterous claim to the French Crown, the fifteenth century would have witnessed a real purgation of ecclesiastical abuses. Whether such a reformation would not have needed supplementing later on in the domain of dogma we need not here consider.

As an inspiring influence the mediæval system is seen at its best after the coming of the friars, and the reign of Henry III. is particularly conspicuous as a time of moral and intellectual advance. There is little sign of deterioration at the end of the thirteenth century. The *débâcle* of the Papacy, its migration, its subjection to France, and the iniquitous extinction of the Templars succeed with startling suddenness. They appear to have profoundly shaken the faith of men. A widespread demoralization ensued. In England it was fostered by the weak reign of Edward II., the result being that at no time does the English episcopate show so badly as in 1326-7. To this disordered period we prefer to trace that deterioration of the Regular Orders[1] which has sometimes been supposed to originate in the miseries consequent on the great plague of the mid-century. The loss of high ideals was certainly not redressed in the reign of the dissolute Edward III. A fresh trial of faith arose in the shape of the Great Schism, and thenceforward it is difficult to find any new quickening influence save that of a Lollardry prejudiced by its connexion with supposed heresy. If the bishops show a munificent care for learning and zeal on behalf of orthodoxy, they but rarely rise to the old idea of saintliness. We hardly set Wykeham, Arundel, or Chicheley on the same level with a Theobald, Hugh of Lincoln, or Grosseteste.

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[1] See Appendix, note V.

Scrope and Hallam in the Lancastrian period perhaps satisfy our conceptions of episcopal excellence, but after the Council of Constance such types are evidently obsolescent. The personal piety of Henry VI. appears strangely at variance with the aspect of the English Church as depicted by Gascoigne. For the old inspirations we seem to find merely a demand that the traditional system shall be maintained, its assailants silenced, its manifold abuses cloaked. If there is now little impugning of the Church's dogmas, there is but scanty proof that her moral principles have influence in society, or that her clergy command the people's respect.

In the dryness and apathy of our own Church, her neglect of preaching and moral guidance, her lack of touch with national life—above all, in the growing corruptions of Rome herself—we shall see the failure of the rehabilitated Papacy to meet the needs of the age, and the yearning of Christendom for new agencies. 'In morals no discipline, in sacred literature no erudition, in divine things no reverence; religion was almost extinct.' Such is Bellarmine's description of the state of the Catholic Church 'some years before the Lutheran and Calvinistic heresy.'[1]

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[1] *Concio.* xxviii. *Opp.* vi. 296.

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THE MEDIÆVAL CHURCH AND THE PAPACY

THE MEDIÆVAL CHURCH AND THE PAPACY

CHAPTER I

STEPHEN

THE period treated in this volume opens with the accession of a king of doubtful title and little strength of character, whose reign has almost the appearance of an interlude of anarchy and civil war. Not much more promising was the aspect of the Papacy in 1135, for the Western Church had been since 1130 divided by a conflict of claims not unlike that imminent in England, and it was still uncertain who the true pope was. Anacletus II., though afterwards deemed a usurper, reigned in Rome as elected by a majority of the cardinals, and had the allegiance of Southern Italy and Sicily. Scotland also acknowledged Anacletus, perhaps merely in antagonism to her southern neighbour. The rival pope, Innocent II., appealed to an earlier but somewhat irregular election, and was the pope of France, Spain, and the Empire, above all of St Bernard; and our Henry I. had acknowledged him at Chartres. Innocent, however, emerged as sole pontiff before the outbreak of our civil war, and the Papacy thenceforward went from strength to strength. Barren as Stephen's reign was in point of legislation, it bequeathed to England some important precedents for future papal encroachments, and we shall see it accompanied by a remarkable consolidation of clerical ideas and interests throughout Western Christendom.

When Stephen came over in hot haste from Boulogne in December 1135 to claim the vacant crown, his title was vitiated by the fact that Henry I. had more than once induced the magnates, lay and clerical, to swear allegiance to his daughter Matilda. This difficulty was got over by the aid of the Church. Stephen arranged with his episcopal brother, Henry of Blois, that the matter should be decided at Winchester, and here the primate, William Corbeuil, strongly pressed the arguments that secured the adhesion of the greater barons. It was alleged that the oath had been secured by compulsion, and that English customs did not permit the reign of a woman; and weak consciences were comforted with a story that Henry had ere his death altered his intentions in his nephew's favour. Stephen paid for this episcopal support with an oath 'to restore liberty to the Church,' and was crowned at Westminster at Christmas. Matilda had appealed against her supersession to Innocent. Stephen therefore shortly sent a deputation to the papal court at Pisa, and succeeded in getting a private letter acknowledging him as king. All difficulties appeared to be surmounted in the summer of 1136, when Matilda's half-brother Robert, Earl of Gloucester, himself did homage at his Oxford court. But the dependence of Stephen on the Church was displayed in humiliating fashion. In his charter he actually cited his recognition by the pope as one of the grounds for his tenure of the crown. He promised, too, that during the vacation of a benefice its temporalities should be administered by the Churchmen, and made a concession which was to give much future trouble — the abandonment of all jurisdiction over clerical persons to their courts.

Though Stephen was now generally acknowledged, it might have been guessed that many barons would not scruple to utilize Matilda's pretentions; and his capriciousness and carelessness soon indicated personal unfitness for a difficult position. He weakened the throne by allowing the petty barons to build fortified castles and ape the status of earls. He made it unpopular by renewing the forest assize, and surrounding himself with foreign soldiers of fortune. But the worst omen for his happiness was his altered relations with Henry of Winchester. Stephen refused to make his brother primate. He secured the yet higher position of papal legate. This, and a quarrel with certain other bishops, gave a vantage ground to Matilda, and induced the civil war.

Archbishop William died in November 1136, within a year of his perjury, as the Angevins unkindly said. Jealousy or some other reason opposed Stephen to Bishop Henry's desire of translation to Canterbury. But with characteristic impolicy he took no steps to fill the vacant see. Meanwhile Pope Innocent's prospects steadily brightened. The victories of the Emperor Lothair in 1136-37 recovered all Italy except Rome, and when Anacletus died in January 1138 he secured an instatement in the Lateran, and the Schism soon afterwards ended. It was natural that Innocent should take steps to improve his position in our island; and he obtained Stephen's leave to land a legate who should reclaim Scotland from her misdirected allegiance. The result was the memorable visit of Albericus, cardinal bishop of Ostia.

Albericus very soon extended his activity beyond

Scotland. With the consent of Archbishop Thurstan he held a council at Carlisle and a visitation of monasteries in the northern province. In the southern his pretentions were strengthened by the vacation of Canterbury; and at the close of the year he convened a council at Westminster itself. He had somehow been won over to the side of Henry of Winchester, and he here declared that the primacy must be filled by such person as the Canterbury chapter should select. The doctrine would have received short shrift from Stephen's predecessors, but the throne was now weak, and had he been taken unawares the monks of Christ Church would doubtless have followed Albericus' guidance and elected Henry. Stephen, however, for once showing prescience, had already taken steps to avert this danger. The two illustrious primates, Lanfranc and Anselm, had been supplied by the Norman abbey of Bec, and Christ Church might be expected to prefer a real Regular to the somewhat secularized monk-bishop Henry.[1] Stephen had accordingly written offering the primacy to Theobald, the present Abbot of Bec. Negotiations secured the consent of the chapter to this appointment, and the situation seemed saved when Albericus himself presided at Theobald's consecration. The new primate left England early in 1139 with four bishops and four abbots, to obtain the pall and attend the great Lateran Council. The legate also took his departure.

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[1] It must be remembered that monastic bodies with special privileges derived from the pope had now largely taken the place of the secular chapters of cathedrals. Lanfranc had converted the Canterbury chapter, Thomas of Bayeux that of York. Secular canons survived apparently only at London, Lincoln, Exeter, Sarum, Hereford and Chichester. In the two-titled dioceses there was a *condominium*, a monastic chapter being installed at Bath, a secular at Wells, and the same conditions applying to Coventry and Lichfield.

The meaning of this Council was that the triumphant Innocent had been persuaded by Bernard to add new bulwarks to the principle of Roman autocracy. In 1123 Calixtus II. had given the example of a General Council summoned by papal authority and employed in registering papal decrees. Following this precedent Innocent convened the 2nd Lateran Council (the 10th so-called "Œcumenical") in April 1139. The conditions of all future hierarchical relations were here defined. For the pope was claimed unlimited feudal power over all bishops; the bishops were to have similar power over the lower clergy.[1] Every ecclesiastical dignity was declared to be held as if in feudal tenure of the one spiritual liege lord, and to exemplify this doctrine Innocent proceeded to denude with his own hands certain of Anacletus' bishops of their palls and rings and staves. For England a new method of obsession was established even before this Council opened, in view, doubtless, of Albericus' report of his recent disappointment. Theobald was given the archiepiscopal pall, but the Bishop of Winchester was appointed on March 1 resident papal legate, and therefore his ecclesiastical superior. Stephen's scheme was thus practically defeated, and powers far more than primatial were in the hands of his offended brother.

In June 1138 Earl Robert had transferred his allegiance to Matilda, but his disloyalty was not imitated, and for a full year there was no serious menace to Stephen's tenure. The estrangement with his brother stood as yet outside the dynastic dispute, and the bishops continued to be the chief bulwark of his throne. The administration was in the hands of a junto headed by King Henry's favourite statesman, Roger, Bishop of Salisbury; Roger being justiciar, his son and namesake chancellor, his nephew Nigel treasurer. Nigel was Bishop of Ely; Alexander, another nephew, was Bishop of Lincoln. Equally associated with Stephen's claim were the bishops of the northern province. In the summer of 1138 King David, pretending to champion the rights of his niece Matilda, overran the north with a great army of Scots. He was checked by Thurstan's investing Stephen's sovereignty with the lustre of a religious cause. Thurstan's consecrated standard was a mast planted in a waggon and crowned with a pyx; and about it were the banners of the northern saints. The aged primate rallied the disheartened magnates, and ordered the parish priests to provide levies. The more vigorous Geoffrey, Bishop of Durham, himself helped to direct the battle. The result was that the Scots were routed near Northallerton with a loss of several thousand men (August 22).

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[1] Some thousand bishops attended this Council. On the other hand, at the 1st Lateran Council the monastic element predominated, the numbers being roughly six hundred abbots and three hundred bishops.

This valuable asset of clerical loyalty Stephen recklessly flung away in June 1139. His motive is uncertain, but he probably began to realize the danger of the 'adulterine' castles, and thought correction of the encroachment easiest in the case of barons spiritual. We are told that at his Oxford Council he suddenly arrested Bishop Roger, his son, and his episcopal nephew Alexander, and put them in chains. Taking the two Rogers with him he hurried westward, and captured the justiciar's castles at Devizes, Sherborne and Malmesbury. A yet crueller treatment of Alexander gave the king his castles of

Newark and Sleabury. The bishop was exposed starving outside their gates until the garrisons surrendered.

Christendom was already impressed with those high ideas of clerical immunity which were to be championed by Becket, and public sentiment was particularly outraged by rough treatment of a bishop. Henry of Winchester now came forward, citing his legatine commission, and demanding satisfaction in the name of Holy Church. On August 30 he convened a council at Winchester to sit in judgment on the king. The influence of the lately revived study of civil law was here attested by Stephen's sending a counsel for the defence, in the person of Aubrey de Vere. But the king was best served by the Archbishop of Rouen, who argued that the spiritual barons transgressed the Church's canons in having strongholds of any sort. It is a by no means solitary instance of the civic rights of the clergy being hampered by their favourite ægis. Decrees were passed at the Council against violence to clerical persons; and on this score Stephen perhaps did penance.[1] But he succeeded in retaining the castles. When three months later Bishop Roger died, 'as much of grief as old age,' he seized his personal effects.

Meantime his rival had gladly seized the opportunity. Shortly after the Council Matilda landed with Earl Robert; and was allowed by the careless sovereign to advance and gain Bristol, Gloucester and Hereford. January 1140 found Stephen harrying Bishop Nigel in the Isle of Ely, with the natural result that Nigel fled westward and enlisted on Matilda's side. When Whitsuntide came, the royal court had to be held in the Tower instead of at Westminster, and only one bishop attended it. Thenceforward civil war raged till February 1141, when Robert surprised the regal army at Lincoln and captured Stephen. He was loaded with chains, by Matilda's orders, and confined in Bristol Castle.

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[1] Hoveden says that Bishop Henry confirmed this decision in 1143 at a Council in London, ruling the assailant of a clerk incapable of absolution 'even from the pope himself.'

How far Bishop Henry had been privy to Matilda's scheme of invasion is uncertain. He now again poses as papal legate, and authorizes a transfer of England's allegiance. At a Council at Winchester (April 1141) he recited his brother's misdeeds; and, without putting the matter to the vote, declared him superseded. London had been already won over; and in both cities Matilda was now accepted as 'lady' of England and Normandy, without reference to charters or liberties. She shortly appointed a bishop and created earls, and evidently regarded herself as queen. No opposition is recorded; and the only person who comes out well in this tale of repeatedly broken pledges is Theobald, who visits the imprisoned Stephen, and obtains consent to his withdrawal of allegiance.

The tangled story of 1141-53 must be hastily passed over. Matilda was never crowned, her scornful refusal to renew her father's charter and her demand for immediate subsidies provoking a reaction in June, which sent her in flight from London to Oxford. Bishop Henry again comes to the fore. Compassionating Stephen's sufferings, or resenting the domina's arrogance, he deserts her cause; and in the autumn is himself besieging her at Winchester, with fearful damage to the city.[1] Robert, taken prisoner while covering her retreat, is now exchanged for Stephen; and a civil war wastes England till 1147, Matilda's rule predominating usually in the west, Stephen's in the midlands and east, and the northern counties largely succumbing again to David. Apparently the bishops shortly followed Henry's example; but it must be noticed that with the death of Innocent (September 1143) Stephen lost the sympathy of Rome. Celestine II. inclined to the Angevin cause: so more distinctly did Eugenius III. Robert's death (October 1147) induced his sister's retirement, but later on the young Prince Henry intervened on his own account; and on his invading England in 1153 the unlucky Stephen was again found crippled by a quarrel with his bishops. The concordat effected by the two leading prelates at Wallingford (November 1153) at last secured undisputed sovereignty to Stephen, with reversion to Henry, and the Angevin prince shortly afterwards helped his cousin in the suppression of adulterine castles, and restoration of order.

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[1] He allowed it to be sacked by Stephen's London forces, and it is said that twenty churches were destroyed, besides many religious houses.

The Peterborough chronicler has left a gloomy picture of the state of England throughout this period of confusion. Besides the dynastic dispute there was the terror of the adulterine castles, some hundreds probably in number; and their occupants were often mere brigands, who fought for their own hands and wrung ransoms from their captives by dint of the cruellest tortures. 'They plundered and burnt . . . so that well mightest thou walk a day's journey nor ever shouldest thou find a man seated in a town, or its lands tilled. . . . They forbore neither Church nor Churchyard, but took all the property, and then burnt Church and all together. The bishops were for ever cursing them, but this to them was nothing. . . . The land was all ruined by such deeds, and it was said openly that Christ and His saints slept.' In such times it is difficult to trace out a continuous story of the Church. Some interesting features are, however, recognizable in what is recorded of the leading prelates.

Throughout this volume the Churchmen will repeatedly be seen obsessed, on the one side by their feudal relation to the Crown, on the other by Hildebrand's ideal of a sacred caste deriving all its authority from Rome. High Churchmen of monastic training, pre-eminent for ascetic piety, will often stand out in crude contrast to statesmen, lawyers, and royal servants remunerated with the benefices of the Church. Between these extremes there is every variety of gradation ; and there is scarcely a field in which we may not find episcopal activity. Henry of Blois, who since 1129 had held Glastonbury and Winchester in plurality with papal sanction, appears combining in his strange personality the ecclesiastic, statesman, soldier, student and builder. It is supposed that this flighty prelate was really influenced by Hildebrandine principles as well as personal ambition ; but he seems to have acted without deference to the pope in deposing Stephen, and it is not surprising that Innocent's successor did not renew his legation. Falling into disgrace with Pope Eugenius for not attending the Council of Rheims in 1147, the ex-legate ignored a summons to Rome to justify his conduct for full three years ; but at last travelled there in much state, and paid a handsome sum for absolution. The number and variety of Bishop Henry's edifices excite our marvel. We may mention the cloister, bell-tower, gateway, refectory, and palace at Glastonbury ; castles fortified or residential at Bishop's Waltham, Merden, Farnham, Dunton and

Taunton ; a stronghold at Wolvesey wherewith he overawed his cathedral city ; last, not least, the noble church and endowed college that still proclaim his munificence at St Cross. He was also widely celebrated as a zoologist, virtuoso and collector. The importance of Bishop Henry waned after Stephen's death, for the strong Angevin king demolished or appropriated his castles, and for a time he retired in chagrin abroad. He joined, however, with the other bishops in condemning Becket at Northampton in 1164, and, though commiserating the exiled primate, was on the Royalist side almost to the last. A more distinct sympathy with the clerical cause was roused by Becket's murder. He died only two days after bitterly reproaching Henry II. for the crime, on his short visit to England seven months later.

Archbishop Theobald, on the other hand, appears as a pattern Benedictine monk, disinclined to mix in political affairs, but a great encourager of learning. It was Theobald who introduced into England the newly-revived study of civil law ; and Vacarius, a learned Italian, lectured on this subject under his patronage at Canterbury, and perhaps at Oxford, until silenced by the jealousy of Stephen. Theobald's court was a kind of literary oasis in these wild times, and a resort of youths of promise. Prominent among these was young Thomas Becket, whom the primate sent abroad to devote his attention to the more sacred study of canon law aggrandized by the great work of Gratian. That Theobald was eclipsed in ecclesiastical affairs by Bishop Henry till the death of Innocent is obvious. Both prelates are said to have then gone to Rome to 'treat about the legateship' ; but Pope Lucius preferred to send another foreigner. Whether

Eugenius III. deferred to any tradition of the English primate being *legatus natus*[1] is uncertain, but he gave Theobald a legatine appointment not long after his accession. With his hands thus strengthened, Theobald foiled a scheme of Bishop Henry's for making Winchester a metropolitan see, with seven suffragan bishoprics detached from Canterbury.[2]

The see of York was after Thurstan's death the focus of an extraordinary quarrel, which was twice adjudicated by popes, and once seriously disturbed Theobald's usually harmonious relations with Stephen. Stephen endeavoured to replace Thurstan with his own nephew William Fitzherbert, really a man of extraordinary piety and merit. The York chapter, however, invoking the doctrine enunciated by Albericus, made a great assertion of independence, and maligned the royal nominee as a simoniacal worldling. Innocent II. justified Stephen's appointment, and William was duly consecrated in his uncle Henry's cathedral in September 1142. By some inadvertence he afterwards neglected to secure the pall sent by special messenger from Rome. The irregularity was pressed by the defeated canons; and as their own candidate was Murdac, Abbot of Fountains, the Cistercians everywhere renewed the odious charges. Eugenius III. was himself a Cistercian; and a yet greater Cistercian controlled the Papacy. Bernard and Eugenius readily credited the monkish calumnies; and at the Council of Rheims (December 1147) William was pronounced deposed, the pope himself shortly afterwards appointing Murdac his successor. For six years Murdac reigned at York, the disgraced William finding refuge with his uncle Henry. William's innocence, however, was to be more than vindicated in the sequel. In 1153, death having removed the Cistercian trio, he appealed to Anastasius IV., righted himself, was restored, and returned equipped at last with the pall to York—only to die suddenly at the celebration of Mass. His death was ascribed to poison administered in the eucharistic chalice by Osbert the archdeacon. Murdac's rule had been unpopular, and William's piety and forbearance had enlisted general admiration. Miracles ensued at his tomb, and the chapter recanting its old sentiments demanded his canonization.[1] The request was granted by Honorius IV. in 1227, and William of York then joined his persecutor Bernard in the Church's Calendar of Saints.

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[1] See Appendix, note I.

[2] Independent primacies were, however, created for Ireland by Eugenius. The palls were delivered by a cardinal envoy to the four archbishops-elect (Armagh, Dublin, Cashel, Tuam) at a synod at Wells in 1152.

William was not the only prelate to whom the Council of Rheims brought trouble. Stephen rose to the occasion, and forestalled the proposed insult by forbidding his clergy to leave England for the Council. Bishop Henry, of course, obeyed the order, and his example was followed by certain bishops and abbots. Eugenius punished their recalcitrancy with sentences of suspension. Theobald, on the other hand, who probably credited the aspersions on his brother primate, eluded the king's coast-guard and appeared at Rheims in company with Becket. Stephen's response was a sequestration of the temporalities of Canterbury. Theobald retorted from abroad with threats of interdict, and Eugenius spoke of reopening the question of Stephen's right to the crown. A reconciliation of king and primate was shortly effected by the intervention of the other prelates; but the episode sufficiently illustrated the difficulty of the present clerical position. On one side was the Conqueror's inhibition to leave the realm without royal permission. On the other was the papal claim to full feudal sovereignty, established at the General Council of 1139.

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[1] York had as yet no saints of her own, and was perhaps piqued by the superior sanctity of Beverley and Ripon.

The second quarrel of Stephen and Theobald has been noticed in the political story. In 1151 the king was bent on securing the consecration of his son Eustace as his successor. Theobald, for some reason, opposed it; but the obtruder Murdac was won over and despatched to Rome to ask papal sanction. Congruous though this request was with pontifical pretentions, Eugenius' Angevin sympathies induced him to refuse consent. Becket was now in Italy, and it was probably at his suggestion that a letter directly prohibiting the ceremony was sent to Theobald. In April 1152, when Henry and certain prelates endorsed the barons' consent to Eustace's coronation, Theobald exhibited this document. Stephen, infuriated by the humiliation he had brought on himself, subjected certain bishops of Theobald's party to a temporary imprisonment, but their leader contrived to escape to Flanders, and again there was an interchange of sequestration warrants and of threats of interdict. Possibly the fugitive primate was not unconcerned in the invasion of Prince Henry early next year. The sudden death of Eustace in August 1153 removed the ground of the quarrel. A reconciliation followed; and in November Theobald was back in England, and assisting at the Treaty of Wallingford.

Enough has been said to illustrate the two most striking characteristics of this reign—the steady increase of papal pretentions, and the loosening of the restraints imposed on the Churchmen by the Conqueror. Both these tendencies were favoured by the aggrandizement of canon law, an agency which has been mentioned in connexion with the studies of Theobald, and which will be repeatedly effective henceforward as a disseminator of Hildebrandine principles, and a fomenter of quarrels between Church and State.

The study of the Roman civil law had been first revived at Bologna. With the aim of supplying a sort of spiritual counterpart, Gratian, a Bolognese monk, published in 1151 his Decretum, or authoritative synopsis of ecclesiastical law. The basis of Gratian's work was the false Decretals, the celebrated ninth-century forgery, which, reading the pretentions of the Papacy into the first Christian age, exhibited decrees of twenty early Roman bishops, and crowned a spurious claim to spiritual authority over Christendom with the legend of a temporal dominion bestowed by Constantine. This forgery, posing as the production of the illustrious Isidore of Seville, had been informally accredited, and had really laid the groundplan of the celebrated Hildebrand (Pope Gregory VII., 1073-86), the result being that Western Christendom was now permeated by the conception of a primitive hierarchy, vested with peculiar sanctities and immunities, and rights of appeal to Rome. But it was not till Gratian's work appeared, that the false Decretals were incorporated in a defined and uniform system of canon law. The Decretum, though not sanctioned by papal Bulls, was at once accepted as the Church's authoritative code, and became the text-book of her tribunals, a stimulus being thus given to the already extravagant conceptions of clerical immunity and the pretentions of the courts Christian.. Successive popes contributed new material to this juridical system and vastly extended its scope.[1] Their decrees needed no confirmation apparently on the part of national Churches. The professional canon-lawyers at least, who really ruled the situation, claimed for them all possible plenitude of obedience without further ratification.[2]

The spread of Hildebrandine principles had been already considerably stimulated by Bernard, the saintly abbot of Clairvaux, who from 1130 to 1153 was really the leading ecclesiastical personage of Western Christendom. It was Bernard who made and unmade popes, dictated the decrees of Councils, silenced Abelard and Arnold of Brescia, and proclaiming another holy war, induced Conrad and Louis VII. (even the frivolous Eleanor, afterwards our queen) to join the most disastrous of the crusades. England perhaps had sufficiency of war at home, and she did little for the second crusade.[3] To Bernard's fame, however, and to his connexion with Stephen Harding, under whom he served his novitiate, must be attributed a more permanent result. From 1125 onwards all other types of asceticism were completely eclipsed by the growing lustre of the Cistercians.

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[1] In 1234 Gregory IX. supplemented the *Decretum* with the rescripts of recent popes, his own included, thus bringing Gratian's work up to date. Boniface VIII. (1294-1303) in his turn supplemented Gregory's *Five Books of Decretals* with *The Sext*. New constitutions were added by Clement V. (1305-14) and John XXII. (1316-34), respectively entitled *Clementines* and *Extravagants of John*; and these again were supplemented by the decrees of a few other popes under the title, *Extravagantes communes*. Eventually, according to Professor Maitland, the chief statute-books of the English canonists were the codes of Gregory IX., Boniface VIII., and John XXII.

[2] See Appendix, note II.

[3] A contingent, however, set out in 1147 under Henry Glanvill and other leaders. It got diverted at Oporto to Affonso Henriques' enterprise of expelling the Moors from Portugal.

That the Cistercian and other new ascetic orders did anything as missioners seems to be confuted by that piteous cry that 'Christ and his saints slept.' There is indeed no evidence that their fantastic austerities did anything to improve the moral condition of society. Every monastic revival, on the other hand, tended to identify religion with a vocation possible only for a few,[1] and fostered the bad practice of subsidizing vicarious prayers as a set-off to sin. For a time perhaps the effects of the new monasticism may be detected in the appointment of fitter persons to the episcopal chairs. Clergy and laity alike, however, seem to have been at the coming of the Friars, much as they were at the coming of the White Monks.

The debt we owe to the older monks as conservators of learning is indisputable; but in this province, too, the Cistercians did little. They had, of course, their chroniclers, but, unlike the Benedictines, they have little claim to praise as educationists or conservators of learning. On the other hand, their scrupulous avoidance of the busy haunts of men and selection of wild isolated valleys exercised a useful colonizing influence. Each Cistercian house had a large contingent of lay brethren, and was, as Dr Gasquet says, essentially a community of farmer-colonists. The rural Benedictine monks were already the best agriculturists of England. To the Cistercians we owe a great development of scientific sheep-farming, which laid the foundation of our woollen trade.

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[1] The word 'religion' was now (as still to some extent in French) synonymous with monastic life. In 1215 Innocent III. deprecates the excessive 'diversity of religions,' and endeavours to prohibit the devising of any 'new religion.'

We shall repeatedly have to notice the Regular Orders as a source of internal dissensions in the Church. Though by no means always champions of Roman obtrusion in state affairs, they gloried in their own emancipation by papal diploma from the diocesans' control. Sometimes, perhaps, such privileges were used to good purpose in curbing episcopal tyranny; but the common story is that of the bishop demanding from a convent or cathedral chapter reforms of grave abuses. The monks quote their charter of independence, and the case goes to the pope, who rarely misses the opportunity of strengthening his own hold at the expense of the diocesan.[1]

A story of more permanent mischief is suggested by the Cistercian movement. The pious founder or benefactor of monasteries habitually endowed his pet Order with 'appropriated' benefices, and for the supposed good of his soul deprived each parish concerned of a paid incumbent. The monks regarded the emoluments as designed for the interests of their own Order. The system involved, in fact, the extinction of the rector, the diversion of his tithes to monastic enterprises, and the committal of his duties to an ill-paid monk-priest, often living far off, and necessarily severed from the interests of ordinary life. So notoriously mean were the Regulars in their dealings with the appropriated benefices that Rome at last intervened with the device of perpetual 'vicars.' The great tithes, however, were still retained by the patrons; only the small remunerated the resident parochial priests. Monks and their atoning prayers were swept away by Henry VIII. without respect to the original beneficiaries. The result was a permanent transference of the great tithes to lay rectors, with no religious duties beyond a maintenance of chancels.

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[1] On the results of this impunity, and the range of the later monastic decadence, see Appendix, note V.

Of all these monk appropriators the Cistercians were the most grasping. 'None were more greedy,' says Dr Brewer, 'in adding farm to farm; none less scrupulous in obtaining grants of land from wealthy patrons, appropriating the tithes and endowments of parish churches, and pulling down the sacred edifices to suit their own interests.' Richard I., when taxed by Fulke as the father of Pride, Luxury, and Avarice, could retort that he had married Pride to the Order of Templars, Luxury to the Black Benedictines, Avarice to the White Cistercians.

Though this Order was really founded in the eleventh century, the wave of Cistercian ascendancy in England scarcely antedates Stephen's reign, the first house of White Monks being that at Waverley, in Surrey, founded in 1125. Within the next generation there rose, almost always in wild and picturesque surroundings, the houses that best attest mediæval England's claim to peculiar excellence in monastic architecture. Furness Abbey, founded by Stephen and Matilda before their accession as a Benedictine house, shortly embraced the fashionable Cistercian rule. Between 1131 and 1156 Rievaulx, Tintern, Fountains, Kirkstall, Jervaulx sprang up in quick succession. Beaulieu, Netley, and many others followed in the course of the next eighty-five years; and it is said that at one time the Cistercian houses, small and great, numbered a hundred and one. No other Order ever approached this degree of popularity.[1]

It remains to notice that Stephen's reign, despite its wars and disorders, more than continued the literary renascence fostered by Henry Beauclerc. Theobald's patronage of learning was rivalled by Matilda's half-brother, Robert of Gloucester, who inherited his father's intellectual tastes; and to him William, the monk of Malmesbury, and Geoffrey, the archdeacon of Monmouth,[2] alike dedicated their works. Geoffrey, as the first author of any note produced by the secular clergy, heralds an extension of the field of letters to a new school of writers, equipped with sympathies, experiences, sense of humour and powers of observation, denied to the monastic chroniclers. This, however, is but a meagre tribute to the historian of the *Kings of Britain*, who really holds place in the story of European literature as the accepted authority henceforward on ethnology and ancient history, and as the initiator of medieval romance. Geoffrey's legendary or imaginary heroes—Brutus, Arthur, Merlin, etc.—

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[1] Of the other new Orders the Cluniacs, who first appear in 1077, led a troubled life as mostly Frenchmen. Their 'alien priories' were dissolved in 1414, and of the houses dealt with by Henry VIII. in 1538-40 only eight were of the Cluniac type. The Carthusians were introduced by Henry II., and were patronized by Edward III. and Henry V. But their rigorous asceticism never appealed much to English tastes, and their houses at this time only numbered nine. The Augustinian Canons (introduced in 1105) served a really useful purpose as priests, living a common life and taking parochial duty. These had now fifty-nine establishments. The Cistercian only numbered forty; but these figures do not include the numerous small houses and cells dissolved in 1536.

[2] This office gives him his familiar title, though, as a fact, he held the bishopric of St Asaph from 1152 to 1154. The three other noted secular *littérateurs* of the century, Walter Mapes, Henry of Huntingdon and Giraldus de Barri were also all archdeacons. Mapes and Huntingdon were Geoffrey's contemporaries.

though at first disparaged by the sober monk-chroniclers, eventually secured universal acceptance as real persons; and the Trojan origin of the Britons had undisputed credence long after the general revival of letters. Geoffrey's importance in the province of fiction is due to the popularity of the Arthur story, which was translated and versified in various places soon after its appearance, and thenceforward received continual additions and embellishments. In Sir Thomas Hardy's opinion, 'it is hardly going beyond bounds to say that there is scarcely a European tale of chivalry down to the sixteenth century that is not derived, directly or indirectly, from Geoffrey of Monmouth.' His humorous friend, Walter Mapes, is said to have himself contributed the earliest romances of the Round Table.

CHAPTER II

HENRY II

THE reign of Henry II. contrasts strikingly with Stephen's as that of a strong, resourceful sovereign, second only to the Emperor in European importance. Aggrandized by his recent marriage with the divorced Eleanor, Henry of Anjou held in 1154 far more than half of France. His vigorous control of our island not only secured the full subordination of the barons, but enlisted a Scotch king and Welsh prince for his Toulouse expedition of 1159. His claim to Ireland, made shortly after his accession, was so vindicated that in 1171 he kept his Christmas court at Dublin, and received the homage of an Irish synod. To his Westminster court of November 1176 came ambassadors from both emperors and from several minor princes.

Henry's Irish claim was propounded with the sanction of Hadrian IV., son of a clerk who ended his days as a St Alban's monk, and the only Englishman who has ever attained the pontificate. Nicholas Breakspeare had left England as a wandering student, entered a monastery at Arles, and become its abbot. Attracting the favour of Eugenius IV., he was sent on a mission to the still barbarous Norwegians. His success was such that in December 1154 he was elected to the papal chair. Abroad Hadrian's pontificate was memorable as maintaining the highest Hildebrandine conceptions against the equally inflated Imperialism of Frederic Barbarossa, the mightiest Western prince perhaps since Charlemagne. Patriotism doubtless co-operated with papal ambition in his more amicable dealings with his native isle. Alexander II. had consecrated the expedition of William I. Hadrian sent William's great-grandson a written grant of Ireland, and a ring as the emblem of his investiture.[1] The favour was based, says John of Salisbury, on Constantine's conveyance of all islands to the pope. It was to be justified by the advancement of a purer faith among the Irish barbarians. It was to be requited by regular payment of Peter's pence.

Like William, however, the Angevin king proved little tolerant of papal assumptions, apart from monarchical interests; and the real drift of his policy was to sap the concessions so weakly made by Stephen. Under Henry's rule the prelates were persuaded or compelled to realize the national interests of the Church, the full subordination of ecclesiastical property to civil law, the paramount authority of the Crown over all causes, lay or clerical. The measure of his success is the unanimity with which the Churchmen accepted the celebrated Constitutions of Clarendon in 1164. Nor was this recovery of lost ground impaired by the great Becket conflict, despite the emergence of the protagonist of clericalism as a martyr and a saint. If, in 1172, Henry obtained absolution by waiving his claim to try ecclesiastical persons, in regard to the far more important subject of ecclesiastical property he yielded nought. The pope with whom he made his peace had himself issued a Decretal, claiming that all clauses affecting Church property belonged to the Church's courts. Henry established it as English law that they did not. 'There are some,' says Professor Maitland, 'who think that the true Magna Carta of the liberties of the English Church is Henry's assertion that advowsons are utterly beyond the scope of the spiritual tribunals.'[1]

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[1] The letter no longer exists. John, however, writing *circa* 1160, asserts that both ring and letter were preserved in England. John was a scholar of repute, and was at Rome and in familiar intercourse with Hadrian in the winter of 1155-56. Alexander III. expressed his approval of Henry's subsequent Irish expedition.

Before approaching the story of Thomas Becket, it must be noticed that after Hadrian's strong five years' reign (1154-59) the Papacy was again crippled by a Schism. Two rival popes emerged from the electing conclave. Each was unable to make good his claims at Rome. The Emperor Frederick accordingly took it upon himself to convene a council at Pavia, and summoned both claimants to hear its award. Victor IV. alone complied, and was declared the true pope. His rival, Alexander III., the eventually legitimized pontiff, appealed to the French and English kings, who contradicted Pavia at their rival Council of Toulouse. On Victor's side were Hungary, Bohemia, Norway, Sweden; on Alexander's Spain, Sicily, and the Cistercian and Carthusian monks. The Italian allegiance being divided, Alexander set up his seat in France, and for a time the two western sovereigns sank their jealousies in an alliance to vindicate his claim. Alexander's Council of Tours (May 1163), in its large assertion of clerical privileges, in some sort prognosticates the future policy of Becket. But equally significant is the deference paid here to Alexander's most powerful patron; for in the highest places of honour, right and left of the pope, sat Henry's two primates. Alexander's inactivity in Becket's cause, his coquettings with the royalists, his easy reconciliation with Henry after Becket's death, must all be viewed by the light of this dependence on the English throne. The Schism actually produced a line of three anti-popes. Nor was it till Frederick was defeated by the Lombards at Legnano (1177) that our pope obtained imperial recognition and was enabled to recover Rome.

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[1] See *Canon Law in the Church of England*, Essay II.

Thomas Becket, son of a London portreeve, spent his youth at Paris University, but was recalled by a paternal failure in business. He then served as an accountant in a kinsman's office till two influential friends secured him an introduction to Archbishop Theobald. His mission abroad has been already noticed; also his supposed activity in aiding the primate's opposition to the coronation of Prince Eustace. Theobald lavished great favours on him on his return from Rome. Though only a deacon, he received the rectories of St Mary le Strand and Otford, and shortly held the archdeaconry of Canterbury, the richest Church appointment after the bishoprics. His conduct in 1151 would naturally recommend him to the new king. Passing from Theobald's court to Henry's, he was made his chancellor in 1154, with further augmentation of his Church benefices, and was employed as a justice itinerant. Despite his familiarity with canon law, there was nothing of the clericalist in Becket's administration. He made no scruple about levying scutage (the equivalent for military service) on ecclesiastical estates. The Conqueror's exemption of Battle Abbey from episcopal control was contested by Hilary, Bishop of Chichester, who infuriated Henry by arguing the invalidity of the grant till sanctioned by the pope. Becket, as chancellor, gave judgment for the king. In 1159 Becket appears as a soldier, accompanying the Toulouse expedition with his own squadron of 700 knights, and conspicuous for his ruthless conduct of raids and forays, and his unhorsing and capturing Engelram de Trie. The militant chancellor amazes France by the luxury of his appointments, the number of his huntsmen and falconers, his vans and sumpter horses laden with gold and silver plate and many changes of apparel. There is no proof that Becket's life was dissolute at this time, but he was the favourite comrade of a king who in his multiform activities could 'scarcely spare an hour to hear Mass,' and then 'was more occupied in conversation about affairs of state than in his devotions,'[1] and who often blasphemed God in wild frenzies of temper.

When, in 1161, Henry determined to make Becket Theobald's successor, he probably anticipated that he would continue this careless life, taking his vocation as easily as many of the great metropolitans abroad. The traditions of Canterbury had been uniformly otherwise. 'A religious and holy man, forsooth,' Becket replied, 'you wish to place over that holy bishopric and famous monastery.' He foretold a termination of the friendship. The king persisted. Alexander's legate was persuaded to combat these scruples; the justiciar de Luci coerced the consent of the electing conclave of monks and bishops. More truly than Bishop Foliot intended by the sarcasm, Henry 'wrought a miracle in turning a soldier into an archbishop.' Conscience-stricken by a sense of his unfitness, Becket becomes at once converted to religion as in these times defined. He appears henceforth as the austerest of monks, the ardent champion of clerical immunities, the almost sole episcopal supporter of the strictest doctrine of the canon law.

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[1] Giraldus Cambrensis.

Becket was elevated in Whitsun week, 1162, receiving priest's orders on the Saturday, and consecration on the octave. The incident has left its mark upon the Calendar. The festival in honour of the Blessed Trinity, though observed since the eleventh century, had as yet no fixed date, each national Church being allowed to prescribe its own use. Becket's appreciation of his high office was evinced by his forthwith ordering that the octave of Whitsunday should henceforth be the English Trinity Sunday. Eventually the fame of St Thomas of Canterbury induced Pope John XXII. to make the English usage that of the whole Western Church.

Becket's altered views of life were shortly indicated by a letter to Henry, in which he brusquely resigned the chancellorship. The office as yet had a distinct religious complexion, and more was signified than an intended devotion to primatial duties. To the party Becket had now joined, the Church meant the clerical order, the State an irreconcilable system making impious pretentions to a *condominium*. His action implied incompatibility of interests, and dissolution of the old intimacy. Henry replied by a suggestion that the lucrative archdeaconry should also be resigned; and Becket, forced to acquiesce, gave it to his future enemy, Geoffrey Ridal. The chancellorship was not filled, but another future enemy, John of Oxford, was made keeper of the seal. The pope, in deference to royal and primatial requests, now translated the pious Gilbert Foliot from Hereford to London. Gilbert was Henry's chief episcopal adviser in the years succeeding.

Becket doubtless returned from the Council of Tours with his ideas of clerical rights and immunities strengthened. Next year broke out the conflict to which all his talents and energies were devoted till his death in December 1170. The connexion of his aim with religion in the modern sense appears remote; its pursuit was certainly destructive to the Church's spiritual life. Yet throughout Becket has no doubt that his is the cause of Christ. He compares himself continually with the suffering Saviour, Herod and Pilate and Judas being the prototypes of his enemies, lay and clerical.

The focus of this celebrated quarrel is at first the relation of clerical criminals to the civil law. William I., in establishing separate bishops' courts, had unwittingly fostered the aims of the Hildebrandine party. Strengthened by the follies of Stephen and the aggrandizement of canon law, these tribunals now appeared in formidable rivalry to the king's own courts, fostering a pernicious principle of clerical immunity. Imprisonment, flagellation, degradation—the three degrees of punishment for offending clerks—contrasted strikingly with the dire penalties of contemporary civil law. It was urged on the king's side that the robber or murderer who succeeded in bringing his case into the spiritual courts escaped his full deserts.

Modern apologists have sometimes urged on behalf of the 'privilege of clergy' its influence in abating the atrocious cruelties of the old penal law, even the encouragement given to education by its iniquitous extension to such malefactors as could read or write. But these effects lie quite outside the ground of controversy. The real issue was how to square the growing claims of the spiritualty with social security. What were the limits of a sacerdotalism that, outdoing Judaism itself, denied that the priest, nay, even the lowest clerical servant, could in criminal liability be reduced to the lay level? It is a better defence of Becket's attitude that degradation in the spiritual courts involved professional ruin, and that a degraded clerk if also brought into the king's court was punished twice for one offence.[1] Henry's rejoinder, however, was not without point, that moral guilt in a clerk was doubly guilty.

For about eighteen months Becket jealously maintained the rule of clerical privilege, and Grim, his faithful follower, admits the pernicious moral effect. According to Fitzstephen the crisis was precipitated by one particularly flagrant case. A clerk in the Worcester diocese seduced a maiden and murdered her father, and Becket refused to surrender him to the lay court for punishment.[2] Other provocations were not wanting. The primate decided his right to present to the living of Eynsford by crudely excommunicating a rival claimant. So, too, his pretention to hold Tonbridge Castle. In the Eynsford case a Hildebrandine principle was perhaps at stake, for the canonists denied the power of laymen to present to livings. The impropriety of the plaintiff being also judge is nevertheless obvious.

The watchwords of the two contending parties are first heard at the Council of Westminster, 1163, where issue is joined on the subject of the criminous clerk. The king demands of the clergy obedience to the 'customs of the realm.' Becket, as yet supported by several bishops, qualifies his promise with the words, 'saving my order.' Henry takes deep offence, and the end is that the whole subject of clerical relation to the

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[1] This was expressed by Becket's party in the aphorism, 'Nec enim Deus judicat bis in idipsum.'

[2] *Vita*, Giles' translation, p. 215.

State is surveyed at the great Council of Clarendon (January 1164). By this time, however, Becket stands quite alone. Few bishops probably cared greatly to protect the criminous clerk. Some may have been jealous or suspicious of the new champion of high clericalism. Most would recognize the impolicy of infuriating a king, who, with all his faults, really wished well to the Church. Moreover, papal despatches had now come from Sens urging all possible accommodation to Henry's wishes. Thus deserted, Becket joined with the other magnates in accepting the sixteen Constitutions drawn up by de Luci, and they were ratified as Customs of the realm. It will be sufficient to give here the salient points in this national concordat.

(1) It asserted the king's right of consent in all ecclesiastical appointments; and his right to recommend candidates for election to a vacant see. The election was to be made with the advice of such person as he appointed; and the person chosen was to do homage for his temporalities (but not for his orders) before consecration.

(2) It reserved for the king's courts all suits about advowsons and presentations, or about injustices to the clergy on the part of the king's nobles.

(3) It limited somewhat the power of a bishop to divide his disputes by excommunications, as Becket had recently done. Before excommunicating royal tenants the king or his justiciar must be consulted.

(4) Against appeals to the pope it guarded by forbidding the transfer of suits beyond the Archbishop's court without royal consent, and by making royal consent necessary for a bishop's leaving the realm.

(5) Against encroachment on feudal and manorial rights it had provisos that no son of a villein was to be ordained without his lord's consent, and that no churches of the king's fee were to be given in perpetuity without his licence.

(6) In the matter of the clerical malefactor it ruled that he must first make answer in the king's court; that his subsequent trial in the court spiritual should be witnessed by the king's officer; and that the sentence there should not protect him from the ordinary civil sentence afterwards.[1]

But for the last-mentioned claim, the Constitutions were a mere repetition of principles laid down by William I. and accepted by Lanfranc. The exception is important, for it is the real measure of the invalidity of the concordat. It is sometimes said that in 1172 remorse induced Henry to withdraw the Constitutions. Really he only withdrew all 'customs' introduced in his own times to the prejudice of the Church. A fuller recognition of the *privilegium fori* was thus the sole point gained by Becket's faction.[2] The only party directly benefited was, in fact, that not very attractive person the criminous clerk.

Becket was probably unnerved when he swore with the other magnates to observe the Constitutions. Immediately afterwards he deplored his apostasy. He made no secret that he intended to apply to the pope to cancel his obligation. Henry, infuriated at the seeming duplicity, cited him to Northampton in October on a new issue—a refusal to do justice to

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[1] This seems to be the meaning of the loosely-worded Constitution III. See Maitland, *op. cit.*, Essay IV.

[2] And this only in the matter of felonies, treason excepted. In all minor offences no distinction apparently was made afterwards between clerk and layman. See Maitland, *u.s.*, and Makower, *Const. Hist.*

John the Marshal, who claimed against Becket the estate of Paganham. The Northampton court, bishops and barons alike, found Becket guilty, and Henry vastly augmented his amercement by claims for certain sums received by him as chancellor. This demand was probably factitious. The bishops, however, implored him to ask Henry's mercy, purchase an indemnification, and avert the disgrace of an arrest. Henry of Winchester offered for this purpose a contribution of 2000 marks.

But Becket was now driven to desperation. Regardless of the Constitutions, he retorted on his suffragans with an inhibition to continue attendance at this secular court, and announced his intention of appealing to the pope. Bandying abusive words with the incensed barons, he left the Council; escaped disguised abroad; and was shortly receiving commiseration at Alexander's Court. He was followed to Sens by episcopal envoys representing the cause of the Constitutions; and Henry requested legatine powers for their leader, Roger de Pont l'Evêque, Archbishop of York. Alexander was in a dilemma. He would fain have abetted the French bishops in their unconcealed sympathy with the Hildebrandine champion, but English supplies were sorely needed to push his claims in Italy. As a compromise, he gave Roger a legation strictly limited to the north, but expressed unqualified disapproval of ten of the sixteen Constitutions. Henry, infuriated, seized Becket's estates, prohibited all prayers on his behalf, and inhumanly exiled all his kinsfolk and dependents, sparing neither age nor sex. He, moreover, cut off Alexander's subsidy of Peter's pence. He even opened negotiations with Frederic for an alliance in support of Victor.

Becket, by Alexander's advice, took shelter at the Cistercian house of Pontigny, and there solaced himself with assiduous study of canons and decretals. Inflated by this literature, and impatient of the pope's politic delays, he shortly himself assumed the attitude of a Hildebrand. In 1165 Henry visited France. Thrice Becket sent monk-envoys to his presence, demanding submission to his spiritual head. In April 1166 Alexander ventured to make him legate for the Canterbury province. Thus strengthened, Becket shortly proclaimed at Vezelay, in his own name, the annulment of the Constitutions, and the excommunication of their authors, de Luci and John of Baliol; also that of de Clare, his personal foe. Excommunicated also were the envoys to the Imperial Court, Richard of Ilchester, Archdeacon of Poitiers, and John of Oxford, now without primatial sanction Dean of Salisbury. Henry retorted with terrible edicts against all who should publish these excommunications in England, and he now so menaced the Cistercian Order that Becket had to forsake Pontigny. William, Archbishop of Sens, accorded him an honourable reception; but the English bishops throughout remained loyal to Henry. In 1167 they send their primate a letter of remonstrance. Becket replies in the inflated language of the Hildebrandine school: 'Let not your liege lord be ashamed to defer to those to whom God defers, and calls them gods.' Jocelyn of Salisbury is now excommunicated, Gilbert of London threatened. At Gilbert's instance the episcopate write to Alexander, extolling Henry, and disowning Becket as the one cause of strife.[1]

The quarrel drags on till 1170, with little in the way of new incident, except the interview of king and primate in the presence of Louis' great assembly at Montmirail, when Becket's interpolated 'saving the honour of God' quashes at the last moment a prearranged concordat (January 1169). Alexander's fortunes, however, were improving in Italy, and Louis' renewed differences with Henry shortly enlisted all French sympathies on Becket's side. Bishop Gilbert had now been included in the primatial excommunication. The papal legates, sent to England as arbitrators, began to assume a menacing attitude and hint the possibility of an interdict. With the aim, probably, of securing the throne against a personal anathema, Henry, in 1170, requested papal permission for the coronation of his eldest son by Archbishop Roger. The Pope, flattered by the request, perhaps bribed as well, consented to this invasion of the Canterbury prerogative. The two bishops were absolved: the king was only gently urged to abolish the impious customs. Roger, armed with a papal brief whose genuineness there is no reason to doubt, crowned the prince in June 1170. 'In the court of Rome,' cried Becket, 'now as ever, Christ is crucified and Barabbas released.'

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[1] Giles, vi. 190; Bouquet, 295.

Louis, however, was bitterly offended because his daughter, the prince's wife, was not crowned too; and he now pressed, more zealously than ever, the demand for an interdict on England. The singularly sudden reconciliation of July 1170 is perhaps attributable to Henry's dread of such a sentence: perhaps to an idea that Becket would be more controllable in England than in France. All that is known is that king and primate met by arrangement informally at Fretteville, conferred, and parted on amicable terms, if without kiss of peace. Becket averred that nothing was said about the Constitutions, but that a promise was given that he should repeat the coronation rite at Canterbury.

The primate, too, had perhaps his own designs in making peace. Immediately afterwards he appealed to Alexander, demanding a special treatment of bishops who had so ill served the sacerdotal cause. He so depicted the case that the shifty pope himself sanctioned excommunications against the diocesans of London, Salisbury, Rochester and St Asaph. Geoffrey Ridal was not forgotten; and the favour was crowned with a decree of suspension against the hateful Roger of York. These contraband documents were secretly introduced into England as precursors of the primate's restoration. The suffragans cried that he was coming 'not in peace but in fire and flame'; and that he had condemned them without citation or trial. Roger, however, 'the Lucifer seated in the north,' remained indifferent, relying, it was said, on his great wealth to recover him the favour of the pope.

In such mood did Thomas Becket at last return to England. Walter of Rochester, humbling himself, offered him entertainment; Henry of Winchester received him as his guest at Southwark. He was acclaimed too with blessings by the populace and many clergy. On the other hand, his escort experienced gross indignities at the hands of Randulf de Broc, sheriff of Kent, and his clerical brother Robert. On these and others Becket denounced sentence while celebrating Mass in London. His last public function was a Christmas sermon at Canterbury, from the text 'Peace on earth,' followed by renewed anathemas.

Meanwhile the excommunicated prelates had brought their report of matters to Bayeux, and implored the protection of the king. 'So long as Thomas lives,' said someone, 'you will never be at peace.' 'Have I none among my thankless cowardly courtiers,' was the gist of the precipitate reply, 'who will relieve me from the insults of one low-born turbulent priest?' The next day's deliberations decided that Mandeville should go to England with instructions for Becket's arrest. But the utterance had already prompted the four knights of the familiar story to their fatal errand. Travelling in hot haste they confronted the primate in the precincts of his cathedral, on the afternoon of December 29. A fierce altercation followed their demand that he should surrender to the justice of the king. The knights went for their arms: the canons barred the outer gates, and vainly implored Becket to seek concealment. The gates were broken through by de Broc himself; and, Becket not having permitted the cathedral doors to be closed, the tramp of armed men and the cry 'where is the traitor?' interrupted vespers. The monks mostly fled in terror. Between the altars of St Mary and St Benedict the primate bravely encountered his pursuers. Their object, doubtless, was to drag him from the consecrated building, but again an altercation arose, and an abusive expression used by Becket provoked Fitzurse to strike a blow with his axe. It was only partly intercepted by the faithful Edward Grim. After this all took a share in the despatch of their victim, who died engaged in prayer. The climax was that one of their followers set his foot on the skull, and crushed out the blood and brains.

This horrible deed did far more for the Hildebrandine cause than all the archiepiscopal career of Thomas Becket. It was in vain that Roger of York detected a divine judgment on the troubler of the Church, and preached about Becket 'perishing like Pharaoh in his pride.'[1] The monks at once put Canterbury Cathedral into mourning, and for a whole year its sacred offices were discontinued. Becket, as a lavish almoner and the first primate of Saxon extraction since the Conquest, had had the sympathy of the populace throughout the conflict. A cult of the slaughtered primate as a martyr and a saint was immediately initiated. By Easter it was vindicated by miraculous cures, and the belief in his posthumous efficacy soon permeated England. But not in England alone was the atrocity thus utilized. Wherever the doctrine of the False Decretals was venerated and canon law regarded as the bulwark of the Christian Faith, there the story served to stimulate adoration of an ideal Catholic prelate, and abhorrence of a persecuting king. Thomas Becket was canonized within the short space of three years, and was thenceforth a saint famous throughout all Western Christendom. Churches rose dedicated to him in every land,[2] and his shrine at Canterbury became one of the richest and most celebrated resorts of pilgrims. It survived till the year 1538, associated with Hildebrandine pretentions and a story of a sovereign's shame. A less conscientious Henry then vindicated the cause of a long-insulted royalty, formally decanonized St Thomas, and appropriated to himself his priceless hoards.

Henry received the news of the outrage at Argenton. He was overwhelmed with grief at the death of his once cherished friend, and remorse for his own complicity, with apprehension too doubtless of an interdict from Alexander. It was perhaps to propitiate the pope that he now took actively in hand the task consecrated by Hadrian IV. He crossed with a Norman force to Ireland, and was busy there till his negotiations had secured the despatch of Alexander's legates. With these he made his peace at Avranches on Ascension Day, 1172, on comparatively easy terms. He promised to send two hundred knights to the Holy Land and himself go on a crusade against the Saracens in Spain; to recall the exiled supporters of Becket; to reinvest the Church of Canterbury in all its rights and possessions; 'to revoke all customs introduced in his own times contrary to the Church's liberties.'[1] The pacification also involved another coronation of the young King Henry. This was effected at Winchester on August 27, the officiating prelate being the Archbishop of Rouen.

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[1] John of Salisbury. Bouquet, 619, 620.

[2] In England there were sixty-nine at the time of the Reformation.

In 1174, however, Henry's guilt appeared to have drawn on his head accumulated troubles. His son, assisted by Louis and the Count of Flanders, had raised a rebellion in France. Northern England was invaded by William King of Scots. In co-operation with these foes were a handful of malcontent earls, whose insurrection brought destruction on Norwich and Northampton. Though this insular disaffection only proved the fidelity of his subjects, especially that of the bishops, Henry, after defeating Louis, decided that his presence was needed. Compunction, or stress of public opinion, induced him to perform an extraordinary penance at Canterbury, three days after landing. He walked three miles to the cathedral, barefooted and in penitential garb, knelt where Becket fell, and confessed to the bishops present. Bishop Gilbert explained to the assemblage that the murderers mistook the king's hasty speech ; and he himself proclaimed his restoration of all rights to Canterbury, and of favour to Becket's friends. He received absolution from the bishops, and then, baring his back, submitted himself to a scourging at the martyr's tomb. Its administrators were some eighty in number, and each prelate inflicted five blows and each monk three. The night following this castigation the king spent in the cathedral fasting, and next morning (July 12) he attended Mass. The impression on society was deepened by the news of de Glanvill's contemporaneous victory in the north. On one of these two days of Henry's self-humiliation 'God had delivered into his hands William, King of Scots.'

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[1] Wendover, *s.a.* 1172. For the personal crusade was eventually substituted the establishment of four religious houses. One of these, Witham, in Somersetshire, deserves notice as being the first Carthusian establishment in England and as having for its first prior the saintly Hugh of Avalon, afterwards Bishop of Lincoln.

It appears that the four knights (Fitzurse, de Tracy, de Moreville, Brito) received no serious punishment. Nor did any of Becket's clerical opponents have reason to regret their loyalty. In the year of Henry's own penance Richard of Ilchester became Bishop of Winchester, and Geoffrey, the archdeacon (whom Becket called archdevil), Bishop of Ely. In 1175 John of Oxford was promoted from the Salisbury deanery to the see of Norwich. That they were unworthy men there is no reason to believe, apart from the denunciations of Becket, which had included the pious Gilbert Foliot, selected at his own instance as the king's chief counsellor. Gilbert, formerly prior of Abbeville and Abbot of Gloucester, was so renowned for his ascetic piety that Archbishop Theodore had chosen him for his spiritual adviser.[1] In ideals he was probably at one with Becket. But he despised the blundering impulsiveness of the new convert to high clericalism, and could take a larger view of the immediate needs of the Church. 'Thomas, a fool thou ever wert and a fool thou ever wilt be,' was his impatient utterance at the council of Northampton. There is no need of the surmise that he was a disappointed aspirant to Canterbury, but as primate he would have better served the cause of real religion than did Thomas Becket.

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[1] Pope Alexander, writing on the occasion of his promotion to London, rebukes him for fasting too severely.—*Ep.* 169.

It is perhaps not surprising to find that Henry was in no hurry to replace Becket, and that it was not till June 1173 that Richard, Prior of Dover, was nominated for Canterbury. The Dover foundation was closely connected with Christ Church, and the canons readily accepted this appointment. The young king, however, made difficulties and appealed to the pope, and Richard's consecration was delayed for nearly a year. The romance of his predecessor's stormy career has usually eclipsed the merits of Archbishop Richard. Though the king's domestic troubles were destined to be continued in aggravated form, he did his best to reconcile father and son, and merit the blessing on the peacemaker so flagrantly disregarded by the canonized Thomas. The two were actually brought together at an ecclesiastical council which he convened at Westminster in May 1175. Though a Benedictine, Richard was no blind admirer, either of monastic exemptions, or of the high pretentions of the courts Christian. Becket's view of the *privilegium fori* has been sufficiently noticed. It is instructive to find that even from the clerical standpoint there was something to be said for Henry's innovations, and against the growing practice of appealing to the Holy See. In one of his letters Richard laments that even 'if anyone has killed a priest the Church refuses the aid of the carnal weapon.' The guilty parties make their appeal to Rome, and 'go in mere jest with the plenitude of the Apostolic favour, and return to commit crime again with greater audacity.' For plaintiffs in holy orders it would seem the *privilegium fori* was a less agreeable arrangement than for the criminous clerk.[1]

That not much love was lost between such a primate and Becket's faction is intelligible; and Richard was aspersed with charges of apathy and betrayal of the Church's interests. Canterbury, nevertheless, still boasts a substantial memorial of this primacy. Two months after the king's celebrated penance a fire broke out in the cathedral, and 'Conrad's glorious choir' was completely destroyed. To the activity of Richard, supplemented by Becket's posthumous fame, we owe the present noble structure, 'the type *par excellence* of the transition in England.'

Alexander III. ended his days in peace and honour, shortly after convening another General Council, the 3rd Lateran, in 1179. The number of the cardinals was here enlarged; and as a safeguard against renewal of papal schisms the important rule was established that the pope-elect must have two-thirds of the suffrages of the conclave. Disciplinary canons were passed; the canonization of saints was declared to be a prerogative of the pope; and anathemas were denounced on the heretical or anti-sacerdotal teachings,[2] which, as early as 1165, had been expiated by burnings at Vezelay. We notice in this connexion that in the year before Becket's elevation England had cruelly used certain German 'Publicani,' who came under the leadership of one Walter Gerhard, and are said to have combined a rigorous asceticism with repudiation of the Church's Sacraments. These poor wretches, being found unamenable to persuasion, were given over by a synod at Oxford to the civil authorities. The chronicler pitilessly records how they were whipped and branded, and, finding no shelter, perished in the wintry weather, adding that 'the pious severity of this discipline not only cleansed England from that pest, . . . but also prevented its future intrusion by the terror it struck into the heretics.'[1]

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[1] Here probably lies the explanation of the immunity of the four knights, who thus, as Milman observes, 'by a singular reciprocity' escaped punishment on Becket's own principle. 'Legend imposes upon them dark and romantic acts of penance: history finds them in high places of trust and honour.'—*Lat. Christianity*, Bk. VIII. chap. viii.

[2] Those of the Cathari, Publicani or Paterines, now systematized by the Waldenses and Albigenses in Switzerland and Provence.

Despite his continued activity in civil legislation, Henry II. seems to have wearied of his ecclesiastical responsibilities in his latter days. On the demise of Archbishop Richard in 1184, Christ Church, inflated doubtless by the world-wide fame of Becket, ventured to choose a primate, without reference to either king or bishops. Its first selection was the Abbot of Battle. The bishops retaliated with an independent election, and nominated Baldwin, sometime Abbot of Ford and now Bishop of Worcester. The monks thereupon transferred their affections to a personage sure of papal support, Theobald, Cardinal-bishop of Ostia. Henry's aversion to such an appointment is sufficiently intelligible. He now interposed, and if Gervas is to be credited, entreated the Christ Church canons 'on bent knees and with streaming eyes' to accept Baldwin, on the understanding that the episcopal election was ruled invalid. Christ Church doubtless deeply regretted its complaisance, if this it was that really decided the matter. Baldwin had himself been trained under the strict Cistercian rule. Shortly after his installation, alleging that the monks were more given to sumptuous hospitality than to the maintenance of learning, he announced his intention of setting apart a portion of the archiepiscopal property for the foundation of a new college of secular priests. The site was fixed at Hakington, a suburb of Canterbury, and the establishment was to be dedicated to the martyr saints Stephen and Thomas. Certain dues payable by the property to Christ Church were ignored in this arrangement, and the monks, rightly or wrongly, detected in it a design to quash their elective rights, even to transfer the primatial chair from Canterbury to Hakington. They appealed to Rome; and the dispute soon attracted general attention and divided the sympathies of the great personages and monasteries of Europe. Baldwin's most valuable asset was the support of the whole Cistercian Order. The king, too, threw himself with something of his former vigour into the fray. He suspended the appellant monks, ordered de Glanvill to prohibit the execution of papal mandates for the discontinuance of the Hakington building, and even wrote to Pope Clement III. that he 'would rather lay down his crown than allow the monks to get the better of the archbishop.' The quarrel was at its worst in 1188-89, the chapter being now excommunicated by Baldwin, and retaliating with a suspension of all services in the cathedral. On the accession of Richard a truce was effected, and Baldwin, pulling down his Hakington edifice 'as an act of grace,' transferred the material to his newly-acquired manor of Lambeth, and there began to build another collegiate church for seculars. Again the suspicions of Christ

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[1] William of Newburgh, *s.a.* 1160.

Church were aroused, and again they applied to Rome for prohibitory mandates. Baldwin, however, had now gone off to Palestine, where he died in November 1190. The quarrel was to be continued in the primacy of his successor Hubert, and end in the complete triumph of the monks.

The pretentions of York to equality with Canterbury had in 1176 been made at Henry's request the subject of a special legatine investigation, the result being an extraordinary scene in St Catharine's Chapel, Westminster. Roger, on coming to the court, found Ugo the legate already enthroned, and Archbishop Richard occupying the post next in honour on his right-hand side. To vindicate his equal dignity he located himself on the southern primate's lap. Thereupon Richard's retinue rose in indignation and assailed the intruder 'with sticks and fists.' The legate fled in terror, and the meeting broke up in confusion. A five years' truce was afterwards effected between Richard and Roger, but the issue remained undetermined, and will again be noticed as a source of scandalous contention.[1]

From 1181 onwards the northern primacy remained untenanted, and the king died emphasizing his curious whim for the elevation of the unwilling Geoffrey Plantagenet, his offspring by fair Rosamond. Geoffrey had been a better son than his half-brothers, and had held the great seal since 1182, but his clerical career so far scarcely commended the York appointment. In 1173 he had been given the great bishopric of Lincoln, though only in deacon's orders. He proceeded to administer the temporalities, and did this economically and well, but declined even ordination to the priesthood. After eight years the pope insisted

[1] See Appendix, note I.

that he should seek consecration or resign. Geoffrey preferring the latter alternative, the see was given to Walter of Coutances, who was moved on shortly afterwards to the archbishopric of Rouen. Lincoln was at last (1186) more satisfactorily filled by Henry's elevation of the famous Hugh of Avalon.[1] Of all these prelates more will be said hereafter. It should be observed that, perhaps as a consequence of its long vacation, York now sustained a great impairment of its old pretentions. The nine Scotch bishoprics were in 1188 freed by Clement III. from their ancient allegiance to the northern English primate. They were henceforth to be subservient to the pope alone, *nullo mediante.* We shall notice hereafter how this papal ambition was defeated by Scotland's misdirected allegiance during the Great Schism, the result being that Sixtus IV. instituted a Scotch archbishopric in 1472.

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[1] Henry's indifference to Church affairs at this period has been sometimes exaggerated. Despite the long vacancy at York, he appears to have displayed a spasmodic activity not untempered by conscientious scruples. In 1186 he held councils at Eynsham and Marlborough to fill vacant sees. He declared that he would not elevate any cleric 'pro amore vel consanguinitate vel prece vel pretio.' His objection to remunerating state officials with bishoprics delayed the elevation of Richard Fitznigel, Godfrey de Luci, and others.—*Benedict*, 323, 324.

CHAPTER III

RICHARD I. AND JOHN

THE reign of Richard I. contributes no new feature to the story of the Church's political relations, save that increased importance now attaches itself to the episcopal justiciars as the king's vicegerents. Viewed apart from the glamour of the Crusade, it is a period of impiety, disorder and oppression. No king has ever so despoiled England; and Richard knew not our language and was scarcely six months here in a reign of ten years.

The news of Saladin's capture of Jerusalem had reached Europe in October 1187, and Gregory VIII. had availed himself of the general indignation to proclaim a Third Crusade. His encyclical is said to be the first instance of a papal proffer of general indulgences. Special prayers and fasts were also appointed, and all Christians were urged to contribute money to the holy cause. The appeal was universally obeyed, and Henry responded by himself taking the cross, and imposing a tax of a tenth with the consent of a great council at Geddington.

Something of the crusading spirit may perhaps be detected in the atrocious slaughter of the Jews on Richard's coronation day (Sunday, September 3), described by the chronicler as an 'immolation to their father the devil.'[1] Initiated in London, 'this famous mystery' was repeated in 'almost every city and town: Winchester alone spared its vermin.' The survivors had to buy protections from the king, and so contributed to the Crusade. Richard's war-chest was also replenished by a disgraceful amercement of de Glanvill, his father's justiciar; by a quittance of Scotland from obligations imposed by Henry; and by a cession of charters to towns, perhaps the one satisfactory performance of the reign. But the most singular device for raising funds was a sale, or rather enforced purchase, of offices and territorial dignities, in sinister connexion sometimes with appointment to the long-vacated sees. Hugh Nonant, Bishop of Coventry and Lichfield, now bought the shrievalty of three midland counties; Godfrey de Luci that of Hants, becoming also Bishop of Winchester. De Puiset of Durham, the mightiest prelate of the day, and a great-grandson of William I., was compelled to buy the justiciarship, and the earldom of Northumberland as well, paying, it is said, in all 10,000 pounds. As a set-off to this revival of the type of prelate that had so exercised Stephen, Richard associated with De Puiset William Longchamp, a Norman of humble extraction. He, too, contributed to the sinews of war, paying for the chancellorship 3000 marks, after a collation to the bishopric of Ely. This work of financing his enterprise accomplished, Richard left England for France (December 11), but lingered there for the next six months, and really did not reach Palestine till the summer of 1191. Baldwin, on the other hand, perhaps emulating the zeal of the many crusader-churchmen of the Continent, set off eastward in March 1190, with his 200 knights and 300 followers marshalled under St Thomas' banner. Hubert Walter, the new Bishop of Salisbury, also went.

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[1] Richard of Devizes, *s.a.*

Our primate is credited with some deeds of valour, but he died in December, heart-broken, it was said, by the depravities of the soldiers of the Cross.[1]

Hugh Nonant deserves notice in connexion with an episode illustrative of the strained relations of diocesans and chapters. The Coventry monks outdid Christ Church in insubordination; and Hugh complained, at a synod at Westminster (October 1189), that they had assaulted him violently before the very altar. The consent of the bishops was secured for an introduction of secular canons bolder far than Baldwin's. Richard of Devizes records with no little acerbity how almshouses and workshops accordingly gave place to spacious dwellings; how certain prebends were reserved for Rome: also, alas! how the new secular canons shunned residence and provided vicars-choral 'to make a frequent vociferation in the house of the Lord.' 'This, forsooth, is that glorious religion of the clerks: this should the Church imitate and emulate.' Doubtless the cause of the seculars was little commended by their patron's character, for Hugh, the 'man of bitter jocularity . . . who never loved either monks or their order,' was, in 1194, disgracefully implicated in Prince John's conspiracy. The episcopal triumph was, as usual, marred by Roman intervention, the regulars being reinstated at Coventry in 1198 by order of Innocent III.

Till the close of 1191, however, all other prelates were eclipsed by the meteoric lustre of the Norman William Longchamp. A quarrel shortly severed him from his co-justiciar; and on the case being referred to the king in France, he obtained a monopoly of office, and soon afterwards arrested De Puiset and kept him in enforced retirement. In June 1190 the king contrived to get this unpopular upstart made legate for both provinces; and thenceforward he reigned supreme, selling judicial sentences, buying large estates, and securing great wardships and marriages for his relations. 'England was silent in his presence.' His best feat, perhaps, was his infliction of a heavy penalty on York for renewed cruelties to the Jews in their royal patron's absence. His fall was due to an over-zealous arrest of Geoffrey Plantagenet, who, disobeying a royal order to remain abroad, was captured at the altar of St Martin's, Dover, shortly after landing (September 1191). Geoffrey had now received consecration, and the intriguing John appears to have used the twofold sacrilege on his own account. Longchamp's legation had ceased at Clement's death, and Walter of Rouen had recently come from Messina armed, it seems, with legitimate powers for his supersession. The alliance of Walter and Prince John secured excommunications from the bishops, and a vote of deposition from a great council of the magnates. Longchamp held out in the Tower till John won over the City of London by some further confirmation of its corporate privileges;[1] but was then degraded and deprived of his castles, and was fain to make his escape in woman's dress abroad. John secured the title 'regent'; but the real fruits of the victory were with Walter, who now became chief justiciar. Longchamp came back as nominally chancellor in March 1194, but could not recover his political importance, and left with his patron in the following May.

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[1] The Archbishops of Besancon, Ravenna, Pisa and Montreale, and the Bishops of Beauvais and Cambrai fought in this Crusade. Many churchmen, doubtless, like Bishop Peter of St David's and Archdeacon Giraldus, took the cross, but subsequently obtained dispensations to substitute prayers for service in the field.

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[1] The mayoralty, sometimes associated with this affair, probably owes its origin to Richard's traffic in civic liberties in 1189.

For a few weeks the recognized successor of Archbishop Baldwin was Reginald Fitzjocelyn, son of Becket's enemy Jocelyn of Salisbury, and Bishop of Bath and Wells since 1174. It may be observed here that England had shown herself in past times indifferent to the rule of clerical celibacy,[1] and that no change was effected by the enhanced pretentions of the canon law. De Puiset was a married man, like his predecessors Geoffrey, Rufus, and Ralph Flambard in the period before Gratian's Decretum. No stigma, legal or social, attached itself to the married priest's children. Nigel of Ely's son was now Bishop of London, and Richard of Winchester's was shortly to reign at Sarum. In monastic circles perhaps a stricter view would usually be taken; but it appears that in this case Fitzjocelyn's doubly odious origin was counterbalanced by services rendered Christ Church in the great quarrel with Baldwin. The story is as follows:—Walter of Rouen summoned a conclave to Canterbury in conjunction with Prince John, their desire perhaps being to secure the right of nomination (November 1191). Only three bishops had arrived when the prior of Christ Church brought the business to a conclusion by declaring that Fitzjocelyn, who was one of these, was elected by the canons. Fitzjocelyn was then carried off against his will, and enthroned in the archiepiscopal chair. This precipitate election appears to have been recognized after some demur. Fitzjocelyn applied to Rome for a bull of translation and the pall, but died suddenly of apoplexy on Christmas eve.

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[1] A London synod in 1102 prohibited for the first time the marriage of the clergy. In 1107 Paschal II. gave Anselm power to relax the canon on the ground that the greater and more excellent portion of the English clergy were the sons of priests. In 1179, however, the Lateran Council reprobates the practice of clerics having consorts in their houses as 'retained in England by a depraved and detestable custom.'

Translations were as yet regarded as exceptional infringements of the old canonical regulation uniting a bishop in permanent wedlock to his see. It was by this process nevertheless that Canterbury was at last supplied, for in 1193 Hubert Walter arrived with credentials from the captive Richard for both primacy and chief justiciarship. Hubert, by far the ablest magnate of this reign, had been educated by his connexion, de Glanvill, the celebrated justiciar, with whom he had gone to the crusade. Besides active service in the field, he had here done good work as a military chaplain and camp-preacher; and he had also acted as Richard's representative in arranging the final concordat with Saladin. Hubert's spiritual claims were admitted in May, Christ Church contenting itself by pretending that he was the archbishop of its choice. He entered on the justiciarship at Christmas, and his military talents were at once utilized against the perfidious John. The prince now openly aimed at the Crown, and had, with the connivance of Philip Augustus, secured parts of Normandy. Sentences of forfeiture and excommunication were being abetted by the new primate's active siege of his castles, when the struggle was brought to a close by the return of the ransomed Richard (March 1194).

Richard's imprisonment contributed, like most political difficulties, to the advancement of the pretentions of the pope. In 1193 Eleanor had addressed a piteous appeal to Celestine III. on her son's behalf, and it is noticeable how she, or Peter of Blois, her secretary, appropriates the phraseology of the Hildebrandine school. 'It remains that you, O Holy Father, draw against these injurious men the sword of Peter set for this purpose over peoples and kingdoms. For the cross of Christ excels the eagles of Cæsar, the sword of Peter the weapon of Constantine: the Apostolic See is above the Imperial power.'[1] The really effective influence with Henry VI., however, was a ransom of £100,000. Though double the revenue of the Crown, this impost was recognized as a legitimate feudal aid; and in February 1193 the queen and justices prescribed by edict the method of assessment. It included, besides scutage, a payment by clergy and laity alike of a fourth of revenues and goods; a seizure of a year's shearing of wool from the Cistercians; also an appropriation of the treasures of abbeys and churches. The sum being still incomplete, these shortly had their communion plate appropriated, with alternative of redemption by fresh payment.[2] The silver altar of Bury was now sacrificed; but for the dauntless attitude of Abbot Sampson, St Edmund's shrine would have been despoiled too.[3] Such was the price England paid for the restoration of her gallant but ungrateful king. He was recrowned at Winchester as a protest against the homage lately exacted by the emperor, and then busied himself about fresh subsidies for a French campaign. Again there was a removal of sheriffs (especially of those who had resisted Longchamp), with increment to the royal coffers, and in May Richard left England, and never entered it again.

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[1] *Letters of Peter de Blois*, ed. Duchesne.

[2] In 1195 Richard orders that the chalices of churches surrendered for this purpose are to be returned. Hoveden, iii. 290.

[3] William of Newburgh, *s.a.* *Cf.* Joceline of Brakeland.

Hubert resumed office as justiciar or vicegerent, and next year his spiritual capacity was enhanced by Celestine appointing him legate for all England. But his task of raising fresh subsidies for Richard diverted him from primatial duties, and impaired his popularity. In 1196 the extension of tallage to the poorer classes by a poll-tax provoked the serious rising in London, headed by William Fitzosbert or Longbeard, himself a lawyer and crusader. Longbeard, defeated by the city forces, took refuge with certain followers in the church of St Mary le Bow, and Hubert having, 'to the surprise of many, ordered him to be dragged out of the asylum . . . they applied fire, and sacrilegiously burnt down a great part of the church.' Longbeard, who was hanged at Smithfield with nine others, evidently had the general sympathy of the monks; and Matthew Paris later on presses his claim to a martyr's honours. St Mary's, too, was a peculiar of the Canterbury canons, who were further aggrieved in the matter of the Lambeth college. Christ Church lodged a complaint of Hubert's sacrilegious deed in 1198 before the great Innocent III., who had not renewed his legation; and according to Wendover, Richard was compelled by threat of interdict to dismiss him from the justiciarship, 'as it was specially forbidden bishops to meddle with secular affairs.'[1] His place was filled by Geoffrey Fitzpeter, a layman of high character and learning.

Geoffrey Plantagenet had at the beginning of the reign been accepted by the York chapter, and had at last consented to take priest's orders. But his consecration was delayed by a quarrel with Baldwin, who insisted on his own right of presiding. After Baldwin departed to the crusade he fell foul of his cathedral officials, and Richard, who probably doubted his loyalty, took up their cause and tried to stop his confirmation by the pope. Geoffrey made his peace before his brother left France by submitting to a fine and pledging himself not to visit England for the next three years; but he afterwards secured consecration at Tours and precipitated the downfall of William Longchamp by returning, as above related. This incident probably enhanced his reputation; but he quarrelled with De Puiset and the York Chapter, and failed to propitiate his royal brother, the result being his alternate suspension and restoration by papal sentence. This curious archiepiscopal career was ended in 1207 by Geoffrey's vigorous resistance to King John's demand of a thirteenth of clerical chattels. He left England, fulminating excommunications on all who levied or paid this tax, and died abroad five years later.

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[1] Wendover, *Flowers of History, s.a.*

The neglect of the north was somewhat redressed by Hubert's large legatine powers; and in June 1195 Roger's insult to the southern chair was avenged by a less crude form of obsession. Visiting York in the twofold capacity of legate and justiciar, Hubert asserted his authority over St Mary's Abbey, and even convened a provincial council in the Minster. Its fourteenth canon is apparently the first regular provision for the appointment of permanent 'vicars' to appropriated churches, in lieu of ill-paid monastic jobsmen. A recognized abuse had been met by the decree of the third Lateran Council, sanctioning episcopal intervention. This canon accordingly orders 'that in any Church appropriated by the religious a vicar shall be instituted by the care of the bishop, and shall receive a decent competency out of the goods of the Church.' The eleventh canon embodies the extraordinary prohibitions with which ecclesiasticism had now environed liberty of marriage. 'Let not a man contract with a relation of his former wife; nor a woman with a relation of her former husband; nor a godson with a daughter of the baptizer or of the godfather, whether born before or after.' All such provincial constitutions being subordinate to the higher authority of the pope, every canon closes with the words, 'saving in all the honour and privilege of the holy Church of Rome.'

A pleasing contrast to such bishops as Nonant, de Puiset and Geoffrey Plantagenet is the saintly Hugh of Avalon, who held Lincoln from 1183 to 1200. Not only did Hugh win the affections of his diocese by his unaffected piety and munificence, but on two occasions his naïve humility and good temper overcame difficulties with the Crown. He made his way to Henry's presence, after refusing one of his courtiers a prebendal stall, and so justified himself that the king embraced him and solicited his prayers. He crossed to Normandy in 1198 to confront Richard, after refusing Hubert's demand for subsidies. His plea that the Church was not liable for military service abroad appears highly questionable, and Fitzwalter, Bishop of Salisbury, who had also refused, was subjected to a fine. Hugh, however, not only secured his own exemption, but induced the king to listen to a rebuke of his conjugal infidelities and sales of sacred offices.[1] The interview closed with Richard's memorable exclamation that if all the Order were like Hugh no sovereign in Christendom would dare oppose a bishop.

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[1] Hoveden, iv. 40; *Vita S. Hugonis*, p. 248. Hugh's successful opposition to Hubert's impost is regarded by Stubbs as a landmark in constitutional history.

Little more than a twelvemonth afterwards, Bishop Hugh was administering an emphatic warning to John beside his brother's bier at Fontevraud, and expressing unqualified distrust of his fair promises. His own death came before the fulfilment of his forebodings. The demand for the canonization of this exemplary bishop was satisfied in 1220. Sixty years later his remains were interred in the Angel choir, now added in his honour to Lincoln Cathedral.

Succession by primogeniture being as yet no part of our constitution, the magnates, on Richard's death, had to select between John, with his indifferent reputation, and his Breton boy-nephew Arthur. Hubert yielded with some demur to the arguments of William Marshal; and at the coronation of his former enemy emphasized the dependence of the succession on national election; exacting, it is said, a triple oath to protect the Church, reform bad laws, and maintain equitable administration of justice. Hubert so far 'meddled with secular business' as to become chancellor, Fitzpeter retaining the justiciarship. The two co-operated in restraining John's contempt for moral and political obligations; and England had not much cause of complaint till the primate's death in 1205. Abroad, however, the disappearance of the captive Arthur in 1203 excited the darkest suspicions, and John's incapacity enabled Philip Augustus to overrun Normandy, Maine, Anjou, Touraine, and much of Poitou. The climax of this disgrace was a formal surrender of the lost provinces, executed in 1206.

From 1199 to 1203 Hubert was engaged in a struggle against Giraldus de Barri, the graphic and delightfully credulous topographer, and champion of ecclesiastical home rule for Wales. A scion of the Welsh princes, Giraldus had long cherished an ambition to secure the see of St David's, and reign as an independent metropolitan. Henry II., repeating the policy of the Conqueror in Saxon England, kept his hold on Wales by an importation of English bishops; and the chapter's election of Giraldus in 1176 had been overridden, 'the vilest Englishman being,' as he says, 'preferred in such matters to the most upright and worthy Welshman.' It is certain, however, that in Richard's reign he refused both Bangor and Llandaff, with an eye doubtless to St David's and an independent ecclesiastical hegemony. Giraldus had attracted Henry's favour in 1185, and been made preceptor to Prince John, whom he accompanied on his memorable visit to Ireland. Baldwin took him as his interpreter when he made his progress throughout Wales,[1] executing visitations and preaching the Crusade. In 1199 St David's was again vacant, and Giraldus again headed the chapter's list. Hubert, however, who for a time had a free hand in this matter, penetrated the designs of the Welsh patriot, and insisted on offering only two English candidates for the canons' choice. The affair found its way to the court of Innocent III.; and thither Giraldus thrice journeyed, to kneel at the pope's feet, and urge the increment of Peter's pence and tithes derivable from an independent Church in Wales. Proctors, however, came from Hubert, and not empty-handed; and the patriotism of the chapter was itself, says Giraldus, sapped by Hubert's bribes. The defection, however accounted for, averted a serious impairment of the dignity and security of our Church. Innocent finally allowed the matter to be settled in England, and the result was a judicial decision in favour of one of Hubert's nominees. When elected a third time by the chapter, in 1215, Giraldus declined promotion, though John now wished to utilize him in his own quarrel with Langton and the barons. No serious attempt was again made to secure a Welsh primacy.[1]

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[1] Lent 1188. This was the first archiepiscopal visitation of the Welsh dioceses.

Less fortunate was Hubert in the appeal to Rome about the new Lambeth college. According to Matthew Paris he had used threats that 'he would transfer thither the see, and what was still worse, degrade the monks and put secular canons in their places.' He at last gave pledges that his college should not interfere in the primatial elections, and John made some show of taking his part. Innocent, nevertheless, ruled that the new establishment must be demolished and its secular canons dispersed. The only result therefore of Baldwin's celebrated scheme was the connexion of the primates thenceforward with the Lambeth manor.

With Innocent III. the Papacy really attained the zenith of its power. At his inauguration he had boldly claimed that the pope 'stands in the midst between God and man; below God, above man; less than God, more than man: he judges all and is judged by none.' Political accidents and his own high talents and unblemished character enabled Innocent almost to substantiate these claims. Otho and the young

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[1] In Henry IV.'s reign, Owen Glendower, repeating Giraldus' tactics, obtained a Bull from the antipope, Benedict XIII., constituting St David's an independent metropolitan see. But this feat only led to dissensions among his own adherents, most of whom disliked the transfer of allegiance from Rome to Avignon. A Bull of Innocent III., dating 1207, rules incidentally that Wales is subject to Canterbury.

Frederick II. were elected by his intervention, the former admitting, when crowned at Rome, that he was raised 'by the grace of God and of the Apostolic See.' Innocent's interdict compelled Philip Augustus to do justice to his outraged queen. Bohemia, Hungary, Poland, Denmark, all attested his control; and in 1204 Pedro of Aragon made his realm feudatory to the Holy See. It was reserved for misgoverned England to crown these triumphs; but this story is more illustrative of Innocent's pontifical ambition than of his undeniable moral grandeur. Our Church was long distracted by his encroachment on the legitimate rights of the throne. Its occupant was afterwards sheltered under the papal ægis when his vices had excited universal hatred.

Archbishop Hubert died in July 1205. A hot-headed minority of the Chapter, deeming it an opportunity to repeat the tactics of 1184 and 1191, privily elected the sub-prior Reginald, and sent him off to secure Innocent's confirmation. The secret leaked out, and the other monks declared the election void, and with the concurrence of the king and bishops elected John de Gray of Norwich. A deputation of twelve monks was sent to defeat Reginald's pretentions and postulate de Gray's translation. Under any ordinary pope they would have encountered no difficulty. Innocent, however, first availed himself of the occasion to readjust the whole system of appointment. The nomination belonged to the Chapter exclusively. There was no need of episcopal concurrence. The Crown's claim was only an outcome of lay tyranny. He then summoned the deputation to elect a man 'recommended' by himself. His choice had fallen on an Englishman undeniably superior to de Gray, the learned, cultured theologian Stephen Langton, sometime rector of Paris University, and now one of the cardinals in the papal court. John, perhaps anticipating the manœuvre, had sworn the monks to elect none but de Gray; but Innocent little heeded their protest that they could not change their choice without royal permission. It was not for the Apostolic See, he said, 'to wait for the consent of princes.' 'By virtue of your obedience, and under penalty of our anathema, we command you to elect . . . the man we give you.' The monks succumbed, and elected Langton.

The affront was not extenuated, in John's opinion, by a present of a valuable ring, and a letter extolling the qualifications of the new primate. He so menaced Christ Church that the canons fled precipitately to Flanders. He threatened Innocent with a suspension of all papal dues. Innocent wrote, solemnly identifying the cause with that for which 'the glorious martyr St Thomas shed his blood,' and himself consecrated Langton (June 1207). The king announced his intention of refusing him admission, and appropriated his temporalities. The pope threatened an interdict. At this critical time John, with characteristic folly, proceeded to alienate almost all episcopal sympathy by a violent settlement of an issue outside the Langton affair. The barons had, in February 1207, acquiesced in an extraordinary levy of a thirteenth for state purposes. The prelates, perhaps availing themselves of the papal quarrel, refused. John proceeded to levy the tax by force. The result was the flight of Archbishop Geoffrey and others from England, just when the national cause required strengthening. When, in March 1208, the interdict was actually launched, three bishops (London, Ely, and Worcester) proclaimed it as Innocent's commissioners, and escaped immediately abroad. Almost all their brethren followed them.

The interdict first appears as an ecclesiastical weapon at the Council of Limoges in 1125. Its aim was to render a prince who resisted the Church unpopular, by depriving his subjects of all spiritual consolations. The excommunication of the real offender, which might seem the more natural procedure, was resorted to only when the interdict had failed. It is hard to conceive of a whole national Church suspending religious rites in deference to these iniquitous edicts; and the intention of the interdict was usually thwarted by the patriotism of the secular clergy. Its literal execution would mean a cessation of all public worship, and a denial of all recognized means of grace. These, however, were, it seems, conceded to the dying and to children; and the celebration of marriages at the church door was allowed. The dead, however, had to be buried in unconsecrated ground; and the general depression caused by an effective interdict must be measured by the dependence of mediæval religion on such stimulants as functions and processions, and by the importance attached to the ceremonial performance of the Mass.

On the present occasion, however, the papal sentence made little impression, and was probably largely disregarded. Few bishops were left to enforce obedience; and the parochial clergy, when not interfered with, generally inclined on such occasions to the national side. Even among the Regulars, the Cistercians (an order much befriended by the superstitious John) were at first conspicuously disobedient. As a fact, the only two successful military expeditions of the reign, those against Ireland and Wales in 1210 and 1211, were conducted while England was scathed by interdict, and her king presumably cut off from all Christian communion.

For the personal excommunication, however, there was a more substantial ground than that which underlay the papal quarrel. Mean, cruel, lustful and perfidious, John is the one sovereign whom no writer has attempted to exonerate. His depravity finds illustration in the stories of his seducing the wives and daughters of his baronial entertainers, and of his starving to death the de Braose family at Windsor. His senseless fury was now visiting Innocent's offence on the clergy with wholesale cruelties. If Innocent's partizans were despoiled and banished, the loyal seculars were harassed by a spiteful application of the canon law. The tyrant ordered the arrest of 'all the partners of presbyters and clerks throughout England,' and only liberated them on payment of large ransoms.

The excommunication was threatened in January 1209, but was delayed by negotiations between John and Innocent until November. It was then published in France with due formalities. John, however, prevented any public proclamation of his shame in England; and again Innocent's strategy was defeated by the absence of the diocesans. De Gray, and the two Poitevins, Philip of Durham and Peter of Winchester, were now, it seems, the only bishops left, and all three were quite subservient to the king. The Court assembled at Christmas as if unconscious of the terrible sentence. A solitary exception was Geoffrey, Archdeacon of Norwich, who resigned his office at the treasury, and even talked about the peril of attendance on an excommunicated king. John ordered him to be imprisoned, and cased in a surcoat of lead. 'Over-come by this torture and by want of food, he at length departed to the Lord.'[1]

Langton had fixed his abode at Pontigny, famous throughout Europe for its connexion with the trials of Thomas Becket. For a time he devoted himself to his literary pursuits, leaving it to Innocent to fight his battle. A little court of exiled clergy gradually formed itself about him, and in 1212 their intercessions induced him to go, with the Bishops of London and Ely to Rome, and implore severer measures. A third shaft yet remained in Innocent's quiver. Early in 1313 John was declared dethroned. Philip Augustus was summoned to head a crusade against the common enemy of Christendom. His reward was to be a grant of immediate Indulgences, and a transfer of the English crown to his son Prince Louis. This crusade was finally determined at a great council at Soissons (April 1213), attended by Langton and the two bishops. But again, seemingly, the papal missile fell harmless, for England's hatred of France quite surmounted her respect for popes and councils. Odious though the king was personally, men of all ranks had crowded to his camp on Barham Downs. His fleet even assumed the aggressive, and began ravaging the coast of France. Some 60,000 soldiers stood at his command after the dismissal of all not trained to arms.

Troops, however, were useless without a leader; and John had really been reduced by this menace of deposition from contumacy to abject terror. To save himself, he had secretly opened communication with the pope; indeed, at the very time of the Council, Pandulf was in England, as Innocent's representative, making arrangements to defeat its purpose. The negotiations were quickened by John's own superstition, for had not the pious hermit, Peter of Pontefract, prophesied that the crown would be lost to him by next Ascension Day (May 16)? On the vigil of that feast, and in the Templars' Church, were proclaimed the terms on which John at last purged his contempt, and obtained Innocent's pardon. Following the example of Pedro of Aragon, he made his realms a papal fief. He formally resigned England and Ireland to Pandulf; declared himself the pope's vassal; and pledged the Crown irrevocably to pay for them 700 and 300 marks each year. The Archbishop of Dublin and Bishop de Gray attested this disgraceful surrender, along with nine earls and four barons; and next day John completed the matter by an oath of fealty to his suzerain. Forgiveness of the primate and exiled clergy being included in the bargain, Langton now entered England; and in July the king repeated this oath before him and other prelates in Winchester Cathedral. Langton, however, already evinced something of that independence of spirit which was to prejudice him afterwards at Innocent's court. John had to swear now to make ample restitution; to renew the good laws of King Edward; to judge every man according to his right. On these terms the primate absolved him; and then, to the disgust of Pandulf, ignoring the existence of the interdict, allowed the usual rites of worship to be restored without further formalities.

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[1] Wendover.

The parts of all the chief performers are now to be curiously interchanged by this concordat. The king, by sacrificing our national independence, had incurred the contempt of the barons. They recall his many oppressions, and dream of the possibility of repeating Innocent's victory in the constitutional sphere. By Innocent

John is regarded henceforward only as a dutiful son of Holy Church. Nicholas, Cardinal of Tusculum, comes as legate at Michaelmas, receives the first instalment of tribute, ostentatiously removes the interdict, and writes to Rome eulogizing the English king. Langton and his suffragans, on the other hand, resent Nicholas' own exorbitant demands, his pretence to conduct visitations, his invasion of rights of patronage in the matter of benefices, not least perhaps his utter indifferance to John's liabilities to the long sequestrated sees. A protest on these subjects is made at a council at Dunstable, and Langton's brother Simon is sent to obtain redress at Rome. The pope, however, hears quite another version of the case from Nicholas, when he returns from England early in 1214. The avarice and insubordination of Archbishop Stephen, the insolence and impiety of the barons, the humility, moderation, and general excellence of John—these are the traits which find credence to the last with Innocent III.

The part played by Langton in 1214 in fostering the confederation of the magnates is familiar to our readers. The barons saw no reason to follow a king who had formally resigned his French territories on the Poitou expedition. When he returned discomfited, he found his unpopularity increased by des Roches' oppression as justiciar, and his subjects preparing to make the Winchester pledges a reality. November 22, the festival of the Saxon martyr king, brought this movement to a head, and the barons left Edmundsbury, sworn to resort to arms should Henry I.'s charter not be renewed. We notice that John had already made a crafty attempt to withdraw the sympathy of the clergy from this league. He proposed a separate concordat on their own behalf. By a charter, dating November

21, he actually relinquished to the chapters the free right of electing their bishops or abbots. The crown was only to retain the power of issuing the *congé d'élire* and confirming the election. No prelate, however, attested this insidious document save des Roches. With like subtlety John, early in 1215, ostentatiously took the crusader's vow, thus commending himself more to Innocent III., and implicating all who should oppose him with arms in the guilt of sacrilege. To this device the barons retorted by claiming for their own cause the dignity of a crusade, and entitling Fitzwalter 'Marshal of the army of God and Holy Church.' The sequel needs no lengthy narration. London declared for the barons, and John, finding himself left with only seven knights at Odiham, realized the necessity of coming to terms. At the conference at Runnymede (June 15, 1215) he set his seal to Magna Carta. Its first attestator was Archbishop Stephen, and it may be regarded as his handiwork.

This celebrated codification of ancient liberties can only be noticed here in its ecclesiastical relations. In this aspect it is disappointing, for it really effected little. Its first article dealt, it is true, with the property and prerogatives of the Church; and much might have been expected from its incorporating Henry I.'s promise in the matter of the *congé d'élire*, from its prohibition of all sales of holy offices, from its pledging the king to a just account of temporalities during the vacation of the sees. In such matters, however, the charter appears only as a counsel of perfection. Against the *congé d'élire* was still set the royal right of approbation; and for a strong sovereign it was as easy after as before 1215 to approve no bishop-elect but his own, perhaps undeserving, nominee. Holy offices, doubtless, were not actually sold hereafter, as they were by Richard and John; but the theory that bishoprics were the legitimate remuneration of the king's servants will be found illustrated in almost every subsequent reign. It is, in fact, bluntly enuntiated in that great legislative bulwark of the national Church, the 1st Statute of Provisors of 1351. As for the temporalities, their prolonged sequestration will be often noticed as the sequel to a quarrel between king and bishop. All that can be said with certainty is that no sovereign proved such an utterly unworthy steward of the vacated property as the unprincipled John.

The Runnymede pledges were immediately disregarded; and before October king and barons were at open war. Certain earls attached themselves to John's cause, out of loyalty, or trusting in his renewed promises of reformation. But his policy of distinct repudiation of the charter was probably abetted by few laymen, save the foreign favourites whom it debarred from office. On the other hand, it was favoured by the three bishops already named, and by his chancellor, Walter de Gray, now made Bishop of Worcester. John, however, could soon cite a higher sanction than that of prelates. Great had been the wrath of Innocent on hearing of the concessions wrung from his loyal vassal. A Bull was issued on August 25, depicting John as a penitent servant of the sovereign pontiff, a would-be crusader too, who was molested by the barons 'at the instigation of the devil.' Under penalty of excommunication the king was forbidden to observe the charter; the baronial party to exact its observance. 'We therefore altogether reprobate and condemn the charter.' 'We altogether quash the charter and pronounce it, with all its obligations, to be null and void.'

In another Bull (dating August 16) the primate and bishops were rebuked for aiding the opponents of a king 'in whom is the best hope of deliverance of the Holy Land.' These disturbers of the peace were pronounced excommunicate. The diocesans were to have this sentence published in all churches, under penalty of suspension. Pandulf the papal envoy, Peter of Winchester, and the Abbot of Reading were appointed Innocent's commissioners, to see this order carried out.

Langton so far gave way as to have the sentence on the 'disturbers of the peace' proclaimed in the presence of the baronial army. In regard to the Charter, however, he declared that the pope was misinformed; and he demanded delay, as being himself about to journey to Rome to attend the Lateran Council. Pandulf actually pronounced his suspension before he quitted England; and the Bull cancelling the Charter was published by the papal commission. At Rome Langton found Innocent confirmed in his prejudices by the Abbot of Beaulieu and other envoys of the king. He received a severe rebuke, and the sentence of suspension was ratified[1] (November 4). It was removed on the accession of Honorius III., but apparently on the condition that he should remain at Rome, and it was not till 1218 that he returned to Canterbury. The other primacy was also affected by his recalcitrancy. So strongly set towards the constitutional cause was the tide of clerical sympathies that the York chapter had elected Simon Langton as primate, resisting John's demand for the elevation of Walter de Grey. Despite his judgment of 1206, Innocent took the part of the Crown against the chapter. Walter returned from his appeal to Rome translated and invested with the pall; but saddled too, it was said, with an immense debt for curial costs.

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[1] This sentence was published in England in December. It was followed by Innocent's excommunication of the baronial insurgents by name.

To complete the interchange of parts, the men who in 1213 had rallied round John to resist the French invasion are now seen themselves negotiating a transfer of allegiance to Prince Louis. He lands on Thanet in May 1216, and, entering London, receives the homage of the mayor and of most of the baronial leaders. Winchester is taken, and the few royalist earls now detach themselves from John, whose final feat is the desolating march that ends at Newark.

By Innocent, on the other hand, the very enterprise that had been called a crusade is now anathematized. His legate, Gualo, first denounces it at Melun, and then, following in Louis' wake, lays an interdict on the barons' estates, and on the city of London. On July 16 died the illustrious Innocent III., with his mind full of this concern, which had recently brought an excommunication on Philip Augustus. On October 14 died his favoured vassal, John, the worst king probably that ever sat on England's throne. By these two accidents our Church and State were extricated from a condition of seemingly hopeless disorder. To the barons the claims of the sovereignty were presented in a new aspect: to the Papacy was given an opportunity of redressing the impolicy of Innocent III. Even before John's death, insular jealousy had begun to impair the prospects of Louis; and in November, Gualo, to secure the Plantagenet succession, himself confirmed the Charter. The next year brought De Burgh's destruction of the French fleet, and Pembroke's victory at Lincoln. By the Treaty of Lambeth (September 11) arrangements were made for the peaceful departure of the French.

The fourth Lateran Council (November 1215) contrasts with the English imbroglio as an appropriate climax to the pontificate of the great Innocent. He is said to have only reluctantly sanctioned the sentence of deposition and exile, now pronounced on Raymond of Toulouse for alleged inactivity against the Albigensian heresy. On the other hand, the first canon, with its pretentious addition to theology, was drawn up by Innocent himself, and not allowed to be debated. The dogma of 'Transubstantiation' in the Eucharist was thus, for the first time, authoritatively proclaimed. No explanation was attached; but the term, construed by contemporary philosophy, implied a miraculous changing of the 'accidents' of bread and wine at consecration, and it was thus usually interpreted. The same canon asserted that there was 'one universal Church of the faithful, outside which no one at all is saved.' The belief was immediately attested by a renewal of the holy war against the Albigenses. The results were a devastation of the most civilized region of Christendom attended by countless atrocities, and the establishment there of the awful tyranny of the Inquisition in 1229 and 1233.

CHAPTER IV

HENRY III

INNOCENT III.'s pontificate, besides advancing Hildebrandine ideals and developing new dogma, bequeathed an official institution of great importance in the Orders of Mendicant friars. Francis of Assisi had wrung a papal sanction for his poor itinerant missioners in 1210; the usefulness of Dominic's preachers of orthodoxy was recognized in dealing with the Albigenses in 1215. Brethren of these two Orders, which soon had several imitators, were shortly seen in all the large towns of Europe, devoting themselves to the neglected poor, and reviving, by precept and practice, the duties of practical religion.[1] It is easy to understand the value of this new agency in days when the parochial clergy rarely preached, and when 'religion' was identified with monasticism and retreat from the temptations of the world. The friars came facing the world as it was, and labouring to relieve its miseries by active philanthropy, and its ignorance and wickedness by plain, earnest speech. Disowning learning and even the possession of books, they spoke to the neglected poor as from heart to heart, fixing their abode in the most squalid quarters,[1] doing for the lowest the most menial charitable offices, and living on alms. Their reforming work was extended to other social strata by their Tertiaries, or brethren of penitence. These were bound only by vows to keep God's commandments, to live by rule, to submit to the Church's penances, to make restitution of all unrighteous gains.

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[1] The Dominicans ('Preaching Brothers' or 'black friars') first appeared in England in 1219; the Franciscans ('Minorites' or 'grey friars') in 1224. The latter are said to have founded forty-nine houses within the next thirty-two years. Later there came the Carmelites or 'white friars,' and the Austin friars or Eremites. These four were by far the most important Mendicant Orders, though there were also the Trinitarians or 'red friars,' and the Crouched or Crossed friars. Dr Gasquet gives the following enumeration for 1538: Franciscan, sixty houses; Dominican, about fifty-three; Carmelites, thirty-six; Austin friars, forty-two; the minor fraternities raising the whole number to about two hundred.

From another point of view the friars may be regarded as trumpets of orthodoxy, attuned to the most ambitious conceptions of the Papacy. They came as papal envoys, supplementing the ancient organization of diocese and parish. The maintenance of the Faith, as defined by the papal Councils, accordingly became the peculiar province of the Dominicans, in whose hands the Inquisition was placed by Gregory IX. in 1232. Nor was it till the Papacy itself was demoralized by increasing worldliness that it lost the devoted allegiance of the Franciscan Order.

A third, and quite unforeseen, result of these institutions was a great revival of intellectual activity. The Dominican preachers, who were largely men of good education, naturally found their special vocation at last among the cultured classes, and the appeals of the friars of all Orders quickened men's thoughts and prompted rational investigation. We shall notice below how an ostensibly obscurantist movement was deflected in the interests of learning, and how from the two parent Orders there emerged a new race of Schoolmen.

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[1] Dr Jessopp notices that the Franciscan missioners settled 'outside the city walls at Lynn and York and Bristol; in a filthy swamp at Norwich; in a mere barn-like structure, with walls of mud, at Shrewsbury; in the Stinking Alley of London' (*Coming of the Friars*, p. 44).

As an evangelizing agency the Mendicants doubtless did their best work in the reign of Henry III. The enthusiasm of the first generation of friars spent itself: there remained a system obviously open to terrible abuse. Defying sound economics and exempt from local control, it evolved a horde of glib-tongued vagrants, animated by desire to live at other people's expense. The Orders at last attached to themselves a peculiar disrepute as rival proselytizers and greedy bequest-hunters. They are charged with sacrificing all ethical aim to sectarian interests, and specially concerned in undermining the influence of the parish priests. Scandalous stories are rife in regard to their morals. Piety is shocked by their activity as hawkers of papal indulgences. Such is the portraiture of at least four fourteenth century critics of varied types: Fitzralph, the learned prelate; Langland, the spokesman of the poor; Wycliffe, the disseminator of the Scriptures; Chaucer, the genial humorist. The abuse last mentioned increased after the suppression of Lollardry. It was the spectacle of a Dominican friar vending indulgences that at last roused the righteous zeal of Luther, and initiated the sixteenth-century Reformation.

It would be easy to connect this story of deterioration with the specious principle these Orders borrowed from St Francis—'evangelical poverty,' with begging as its necessary corollary. The greater the popularity of the ideal, the more certain was the demoralization of its exponents. Its impossibility is really connoted in the admission of Bonaventura, the Franciscan general, that his Order is more entangled in pecuniary cares than the old endowed communities, precisely because there are no funds to fall back on in emergencies. Successive relaxations of the fundamental rule ensued, resented by the stricter Franciscans, and involving the friars ever deeper in the charge of inconsistency. The decline is augured as early as 1259, when Matthew Paris can gird at the 'sumptuous buildings' and 'incalculable treasure' of these modern Orders, who, he sees, are 'violating the very rule of their profession.' To the last the friars begged, but after a century's experience 'evangelical poverty' was really relegated to the fanatical Franciscan 'spirituals.' These were burnt as heretics by Pope John XXII., and their mischievous socialist teachings played no small part in the English peasant insurrection of 1381.

To assign fixed dates to this process of deterioration is impossible; but for some three generations the friars must be conceived of as doing good work, in spite of impracticable rules and peculiar temptations. Grosseteste, perhaps the most exemplary bishop of the reign before us, utilized their services in his huge diocese of Lincoln, and has left record 'how eagerly and reverently the people hasten to hear the word of life, to confess their sins, and be instructed in the rules of Christian living.' In Edward I.'s time, not only do scions of the mendicant orders fill the great posts in the Church, but the reputation of their itinerant preachers is still unassailed. On the other hand, the conscientious Bishop Grandisson (1327-70) is found treating the obtrusion of the mendicant confessors in his Exeter diocese as a mischief to be checked by repeated inhibitions. That, even in the mid-century, the friars were conspicuous as an evangelizing agency has been rather precariously inferred from their great mortality at the time of the Black Death.[1] On the other hand, Archbishop Fitzralph's attack on the whole system had the general sympathy of the bishops. Its gist is expressed with more plainness by John Wycliffe later on: 'If there be any cursed jurour, extortioner or avowtrer (adulterer), he will not be shriven at his own curate, but go to a flattering friar that will assoil him falsely for a little money by year.'

The period that brought these new religious influences is undoubtedly marked by an improvement in morals and manners; and Henry III. himself, in his piety, culture and abhorrence of bloodshed, contrasts favourably with his father and uncle. These qualifications, however, were marred by selfishness, petty jealousy, timid superstition, and indifference to promises. The chief features in the reign were favouritism, mismanagement and continual levies of strange exactions, from which no class suffered so severely as the clergy. The Papacy laid a despoiling hand on the English Church during Henry's nonage. He grew up to honour its practices, adopt the same view of the relations of governor and governed, and make similar demands on his own account. The papal fleecings and usurpations went to such a pitch as to disgust the high clericalists themselves. But to the last, pope and king were in alliance,—Henry subsidizing, at the expense of his people, the 'holy' war of the Papacy against the Imperial house, and the popes requiting the favour by supporting him against the aggrieved

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[1] It may be noticed that the practice obtained of leaving a small bequest to one of the mendicant fraternities by will. It did not fall into desuetude till the accession of Henry IV.

English magnates. A new era really dawned in 1258, when the so-called 'Mad Parliament' met to pass constitutional Provisions which practically put the Crown itself in commission. Civil war broke out in 1263, with the result that the internal dissensions of the patriots led to the seemingly complete extinction of their champions on the bloody field of Evesham. But the victor, it has been well said, was 'the nephew of de Montfort rather than the son of Henry.' Edward's accession to the throne brought about the establishment of a permanent constitutional system; and from his independence of Roman ideals it is an easy transition to the directly anti-papal statutes of his grandson.

The ecclesiastical chronicle of this long reign is best presented in connexion with the careers of the four Canterbury primates, Stephen Langton, Richard Grant, Edmund Rich and Boniface of Savoy. Of York it is sufficient at present to say that till 1255 its occupant was Walter de Gray. Though a creature of King John, he proved conspicuous for munificence and activity; and Matthew Paris describes him as 'correctly governing the Church of York for about forty years,' and 'capable of governing the State itself.' He appears, however, to have associated himself with the arbitrary exactions of Henry III., and, as guardian of the realm in 1242 during the king's absence abroad, he made no scruple about appropriating to the royal use the temporalities of vacant benefices.[1]

His detention at Rome necessarily prevented cooperation on Langton's part in the composure of our civil troubles. It was the task of Gualo, the papal legate, to head the legitimist party, promptly crown the boy king in Gloucester Abbey, and ban the pretensions of Prince Louis; and his activity probably contributed more than the royalist victories to the pacification of Lambeth, and the continuation of the Plantagenet dynasty. The obligation to Rome was never forgotten by Henry III. The most striking feature in Gualo's procedure was his confirmation of the Great Charter (November 12, 1216), in complete disregard of the late pope's anathemas.[1] It was a clever change in the papal policy, and by thus connecting the legitimist cause with that of limited monarchy and redress of grievances the legate fairly outbade all the offers of Louis. It need scarcely be said that the Charter was little honoured afterwards, either by the Papacy or its royal vassal; but for once a legate justified his title 'Angel of peace.'

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[1] See Hook, *Archbishops*, Bk. III., ch. iv.

For twenty months the Church was in the hands of Gualo; and with him begins the long catalogue of amercements in the interests of Rome. Prudently neglecting the barons, he imputed the guilt of the civil war to the clergy, and inflicted heavy fines. Hugh Wallis of Lincoln paid 1000 marks to the pope and 100 to the legate, and thirteen clergy were imprisoned. Though Langton returned in May 1218, Gualo maintained his rule till November. He then retired, 'with his saddlebags stuffed with incalculable gains,'[2] but the obsession was continued by our old acquaintance Pandulf, to whom Honorius gave the bishopric of Norwich. Langton's was so obviously eclipsed that at last he journeyed again to Rome, where he secured Pandulf's recall and a promise that no resident legate should be appointed in his own lifetime. After Langton's final return (August 1221) England enjoyed a few years of independence, for the primate till his death actively abetted the justiciar Hubert de Burgh in resisting the encroachments of the foreigners on the civil administration. Their chief enemy was John's evil genius, Bishop Peter des Roches, appointed by Gualo Henry's guardian. Peter avenged himself by fomenting the petty insurrection of the ruffian Falkes de Bréauté, another richly rewarded creature of the late king. Falkes, when exiled, repeated John's tactics, and made good his case at Rome by affecting a zeal for the Crusade. Honorius III., however, in vain sent letters pleading for his restoration. With like success Langton and Hubert resisted the pope's general request for a fixed assignment to Rome of a prebend in every cathedral and college, and of an equal charge on each episcopal estate[1] (1226).

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[1] 'Certain modifications and omissions,' says Bishop Stubbs, 'occur in this re-issue; but there was an express statement that no permanent infraction was intended.' *Const. Hist.*, ch. xiv.

[2] Matthew Paris, *s.a.*

Honorius' demand was grounded on the cost of appeals to the curia from national churches. The pretence provoked derision in England, such litigation being notoriously encouraged at Rome for the sake of gain. Its prevalence in the present reign may be estimated from the fact that no fewer than thirty disputed elections to English bishoprics were referred to Rome between the years 1215 and 1264. One such case occurred on the death of Archbishop Stephen in 1228, six months after Henry declared himself of full age. The pope now regnant was Gregory IX., nephew of Innocent III., and memorable for initiating the great

[1] The plea of the barons and bishops was, however, sufficiently humiliating. Whatever other nations might do, they urged, England could claim exemption, because already a tributary vassal of Rome.

contest with Frederick II. The pretext was an allegation of heresy: the real aim was to secure for the papacy the suzerainty of the Sicilies. England was repeatedly to be utilized in this quarrel with the Hohenstaufen house. The result of the present appeal was that Gregory assumed his own right to nominate to Canterbury, deferred to Henry's wishes by appointing Richard Grant, and saddled the favour with a stipulation that a tenth of all moveables should be paid for his anti-imperial crusade.

Richard Grant, or Grand, was a big secular priest of some eloquence and learning; but he compared ill with his patriotic predecessor, and the price of his promotion was much resented. Master Stephen, the pope's collector, silenced the murmurs of the clergy; but the imposition was actively resisted by the laity, further aggrieved, as in the case of Sir Robert Twenge, by recent attempts to override private rights of patronage. A league was formed, under Twenge's headship, and in the spring of 1232 anonymous letters went about, threatening all who paid or levied payment. The barns of the pope's Italian rectors were looted or burnt; and Master Stephen's underlings were waylaid and lightened of their spoil. Gregory angrily complains that one has been cut in pieces, another left half dead, and that copies of his Bulls have been trodden under foot. He suspects the bishops of connivance. That this anti-papal movement was not disapproved of by Hubert is probable enough. Henry began to look on him with aversion. In July he was deposed and disgraced at the instance of Bishop Peter.

Twenge's grievance necessitates a few words on the subject of advowsons and presentations. The rights of lay patrons in respect to Church property were adequately protected by English law. The excommunicated Twenge went with his grievances to Rome, supported by the Earl of Cornwall, and Gregory condescended to explain away the obtrusions as due to error. But where such rights were in clerical hands, the pope had a vantage ground in the high Churchmen's own deference to canon law. To this must be ascribed that obsession of papal 'reservations' and 'provisions,' of which we shall henceforth hear so much. On Hildebrandine principles, the right of the Church's head to provide for his favourites with national endowments, and to reserve benefices not yet vacated, was really unassailable. 'I know,' writes Grosseteste a few years later, 'and I know it of a truth, that to the Lord Pope, and to the Holy Roman Church, there belongs the right of freely disposing, in the matter of ecclesiastical benefices.' 'Contrary to justice, laymen are held to be patrons of churches, and secular judges determine causes about rights of patronage.'[1] At this very time, Henry Bracton, himself an ecclesiastic, was denouncing such ideas in his *De Legibus*. But the rift between civil law and canon law was fast widening; and by such men as Grosseteste not only Church property, but all clerical capacity, was viewed by the light of Hildebrandine assumptions. 'The power,' he says, 'which a bishop has is received from the Lord Pope, and from Jesus Christ through the mediation of the Lord Pope.' 'In respect to the Pope, all other prelates are like the moon and stars, deriving from him whatever power they have of illuminating the Church.'[2]

Before the full development of Twenge's movement Richard Grant's primacy was ended. His revival of the archiepiscopal claim to Tonbridge Castle had led to a great quarrel with Hubert. He went to Rome on this subject, secured some recognition of his claim, and died suddenly in Umbria (August 1231). There was considerable delay in appointing a successor, the offended pontiff thrice finding reasons for rejecting nominees of the king or chapter. At last, following his uncle's example, Gregory 'recommended' to the Christ Church representatives at Rome a man of his own choosing—the pious ascetic, Edmund Rich of Abingdon, now chancellor of the new cathedral at Salisbury—and Edmund was consecrated in April 1234. Besides his anti-imperial enterprise, Gregory had projected a real crusade, in antagonism to Frederic's bloodless and remarkably successful expedition. A contingent was raised in England, which really never reached the East. Edmund's activity in preaching in this cause probably explains Gregory's favour. His career, however, like Langton's, disappointed the author of his promotion. He at once appeared in the character of a patriot, bent on restraining the misgovernment of Henry III.

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[1] *Epistolæ*, 145, 228.

[2] *Ibid.*, 289, 369.

Henry throughout did justice to his tutelage by his partiality for foreigners, and indifference to all constitutionalist conceptions. At the present period Bishop Peter's influence was predominant, and the land was overrun with Poitevins and Bretons. Later on, Henry's marriage with the dowerless and unpopular Eleanor of Provence (January 1236) brought a large contingent of Savoyard relations and dependents. Yet another horde of undesirable aliens came in 1248, when the weak king undertook to provide for the offspring and retainers of his mother Isabella, who had married her first love, Hugh de Lusignan, shortly after the death of John.

At the very outset of his primacy, Edmund headed a protest against the foreign influences. Des Roches had joined the crusade, but returned in 1231, having substituted a pilgrimage to Compostella, and next year he so worked on Henry's suspicions as to effect the imprisonment and despoliation of Hubert. The administrative offices were already filled with his creatures; and his so-called nephew, Peter of Rivaux, a Poitevin clerk, held as many as nineteen of the thirty-five sheriffdoms. His persecution of Hubert was extended in 1233 to Richard Marshal, son of the late regent, the most accomplished and patriotic member of the baronage. An assembly of the military tenants was induced to declare him a traitor, and Bishop Peter scoffed at the barons' argument that his proscription was invalid without a trial by peers. But the small civil war ensuing brought discomfiture to the Poitevins; and, besides his defeat at Monmouth, Henry sustained a severe rebuke from Edmund and other bishops for his disloyalty to the land whose crown he wore, his selfish partiality, and his unjust exactions. 'If,' ran their letter, 'within a short time you do not redress these grievances, we solemnly warn you that we shall put in force the censures of the Church.'[1] The king was so impressed that Bishop Peter was now bidden to mind his spiritual duties, and his nephew was deprived of all offices. The collapse of the Poitevins was confirmed a few days later, when the news came of Richard Marshal's death in Ireland, where he had been lured by their intrigues. Availing himself of the general indignation, Edmund plainly represented to Henry his own responsibility for this foul deed. The king was really shocked, and resented the misuse of his name and seal, and he now endeavoured to indemnify the dying Hubert and other victims of des Roches.

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[1] See Matthew Paris, *Hist.*, pp. 395-7.

All this good work was, however, undone in 1236, when the royal marriage brought the Savoy importation, and a restoration of the Poitevin gang as well. The court party promptly hatched an insidious scheme to impair the mentorship of Edmund. Gregory was asked to send a resident legate to act as adviser to the crown. The result was the mission of the cardinal deacon Otto Candidus, who, coming with much profession of executing ecclesiastical reforms, not only extinguished Edmund, but inflicted five years of 'intolerable exactions.' In November 1237 Otto convened a synod at St Paul's, where certain disciplinary canons were ordained, which as emanating from a legate *a latere* occupy an important position in English Church law.[1] Two of Otto's canons—denouncing the tenure of benefices in plurality, and the secular employment of beneficed clergy—much exercised the synod. Commendable though these edicts appear, they were launched really with the aim of riveting the papal yoke, and crushing the constitutionalist prelates, especially Neville of Chichester, the chancellor. Nowhere, indeed, were the impugned practices more rife than at Rome; and the sting of Otto's prohibition of pluralities lay in the exemption—'except under a dispensation from the Holy See.' A bold protest against the innovation was made by Cantilupe, Bishop of Worcester; and it appears that Otto was compelled to stay his hand, and consent that the matter should be referred to the decision of the pope.[2]

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[1] See Appendix, Note II.

[2] The disputed Canon XIII. appears to have been afterwards modified. The rest of Otto's legislation mostly deals with familiar irregularities. Canons III. and IV. are interesting, however, as proclaiming the sacraments to be seven in number.

Edmund's difficulties now fast multiplied. His loss of royal favour was confirmed by his abetting the magnates' resentment at the secret marriage of the widowed Princess Eleanor to Simon de Montfort. Edmund's disgust at this seemingly unpromising foreign alliance was increased by religious considerations, Eleanor having taken vows of perpetual widowhood. He went so far as to excommunicate the newly wedded pair (1238). Endeavouring to correct certain monastic immoralities at Christ Church and Rochester, he encountered the usual plea of independence. He went to Rome to contest it, with the result that he was flouted at the papal court, and returned with an adverse verdict and a heavy bill of costs. Despite pope and king, he launched on both chapters his own interdict. Otto, meanwhile, had been devising all manner of expedients to subsidize his master's quarrel, and in 1240 he boldly demanded a fifth of all clerical revenues. The bishops vainly turned to the king for help. Weakness and policy combined to secure Henry's connivance: 'I neither wish,' he replied, 'nor dare to oppose the lord pope in anything.' Gregory himself was pushing the enterprise by lavishing our benefices on the scions of noble Italian houses; and England's aversion to the traffic elicited this year a pious admonition to Archbishop Edmund. 'With God,' wrote the pope, 'there is no acceptance of persons,' and he demanded provision for three hundred future vacancies. England, says Matthew Paris, was seized with 'great amazement'; but already Otto's tax-collector had returned from Rome with two dozen hungry applicants. Overwhelmed by all these troubles, and in failing health, Edmund sought Henry's leave to retire abroad. It being refused, he braved the consequences, and escaped clandestinely. He rested at

Pontigny, the asylum of Becket and Langton, moved thence to a healthier domicile at Soissy, but died before the year was out.

The same sympathy that had attended Becket had been aroused by Edmund Rich's patriotic activity, and the popular voice acclaimed him a confessor and a saint. Evidences of posthumous efficacy were at once manifested at Soissy. Nor was it long before Edmund's impartial charity was extended to the papacy itself. His claims were pressed by England at the Council of Lyons, and next year (1246) Innocent IV., finding relief from certain internal disorders in prayers to the deceased patriot, complied. Canterbury was accordingly declared to be 'made red with the martyrdom of one archbishop, and white with the confession of another.' Henry, after doing his best to thwart this canonization, was among the first to worship at St Edmund's shrine. We notice here that similar testimony to Henry III.'s misrule was left on the Calendar by Edmund's friend and chancellor, Richard de la Wych, celebrated for piety and legal learning, but above all for his sufferings on entering the bishopric of Chichester. The king, in 1244, tried to give this see to the corrupt judge de Passelewe. Richard had the suffrages of the chapter, and the strong support of Grosseteste and other bishops. Escaping abroad, he obtained consecration from the pope at Lyons, but returned to find his temporalities in the hands of Henry's officers. Possessed of a stouter spirit than Edmund, he remained at his post, and won admiration by his dependence on public charity for the first two years of his episcopate. He was canonized as St Richard of Chichester by Urban IV.

Gregory IX. died in 1241, renewing as a nonagenarian his holy but unsuccessful campaigns against the emperor. His successor died only a fortnight after his election, and after this the dissensions of the cardinals kept the papal chair empty for some twenty months. The election of the Genoese Lavagna in June 1243 appeared to presage peace. But, as Innocent IV., he more than fulfilled Frederic's prognostication that no pope could be a Ghibelline. The crusade was soon proclaimed again, and in 1245 he ostensibly eclipsed the triumphs of Innocent III. by declaring the emperor deposed at the General Council of Lyons. In reality, however, the power of the Holy See was seriously impaired by this pope's avarice and unscrupulous traffic in preferments. With Innocent IV. there begins that decline in its moral prestige which prepares Christendom for the precipitate downfall of 1305-6.

Our court soon selected a successor to Edmund ; but the vacation of the papacy caused delay, and when their nominee was accepted by Innocent IV. he postponed consecration, devoting himself to the administration of the archiepiscopal estates. Boniface of Savoy, maternal uncle of Queen Eleanor, was one of a tribe sufficiently known to England. His brother Peter was Earl of Richmond, and the family name still commemorates his palace in London, built at the national expense. William of Savoy had even greater influence with the king, who endeavoured to secure for him the bishopric of Winchester. Thomas, another brother, had been so hospitably greeted as to entail a forced levy on the Jews. Philip, the eldest brother, exemplified the abuses of Innocent's reign abroad, being rewarded for his military services with numerous benefices, and eventually with the archbishopric of Lyons. On the strength of deacon's orders he held this see under four successive popes; but on Clement IV.'s at last demanding fuller ordination, he forsook his clerical rôle, and eventually became Count of Savoy. Boniface was of the same combative tastes as Philip. Coming to Lyons with the proceeds of his administration, he received consecration at Innocent's hands (January 1245), and at the ensuing Council acted as serjeant of an armed guard under Philip's captaincy. Political and military business then kept him abroad till 1249: and Matthew Paris' comment is sufficiently credible, 'at his coming no man rejoiced.' Possessed with a supreme contempt for his adopted country and her constitutional ideals, he at once began visitations escorted by armed Provençals, 'not for the glory of God, but in quest of ungodly gain.' The Kentish monks whose contumacy had afflicted Edmund were glad to propitiate his hot-headed successor with a fine. Entering the London diocese, Boniface so insulted Bishop Fulke Basset that Dean de Cornhill refused him reception to St Paul's. Dean and chapter were forthwith excommunicated. He passed on to St Bartholomew's, only to find the prior absent, the chapter-house empty, and the canons met for service. The aged sub-prior pleaded that their visitor was their bishop, not the primate. A blow from the archiepiscopal fist felled him to the ground, and Boniface pursued the attack, cursing and calling for a sword, and shouting 'Thus, thus should one deal with these English traitors.' The Londoners vented maledictions on him as an illiterate robber of churches, but he sought the king's presence; and Henry took his part, and issued a proclamation warning the laity from meddling in theological controversies. Diocesans and chapters vainly subscribed to secure against this overbearing primate the protection of the pope. Boniface came back from Innocent's court in a more conciliatory mood: and in 1253 he even professed adherence to the national side, and headed the demand for a confirmation of the Charter. But in 1255-6 he was abroad fighting to maintain the tyranny of his own family at Turin.

The Council of Lyons was only attended by about a hundred and forty prelates; and Innocent pronounced Frederic's deposition without demanding suffrages. England's chief concern was a protest against papal exactions, brought to Lyons by a deputation of our prelates and nobles. Otto's despoliating mission had been marked by storms. The Oxford clerks fought his retainers, and even besieged the legate himself in Oseney Abbey. He had been compelled to launch an interdict, imprison thirty masters, and command a suspension of all lectures. Recently Master Martin had come with fresh appeals for the Hohenstaufen crusade. Certain nobles threatening to tear him in pieces, he went in terror to the king, imploring a safe conduct homeward. Henry's complaisance was itself strained by the endless pillage, and he replied impolitely, 'May the devil give you a safe-conduct to Hell.'

The protest against papal exactions, presented at Lyons by Bigod, spoke with sufficient firmness. But the strained clericalism of the bishops prevented any real co-operation. It appears that their defection was led by Grosseteste, who was a zealous supporter of the pope's anti-imperial policy. Not only was the petition foiled. Innocent persuaded the bishops, before they left Lyons, to set their seals to a document attesting John's pledge of vassalage and tribute. As a consequence, the next five years were marked by renewed exactions. Their pretext was ostensibly altered in 1250 by St Louis' crusade, Henry, who himself took the cross, being empowered to demand a clerical tenth for this purpose for the next three years. The proceeds, however, were really devoted to the Hohenstaufen quarrel. Finally our king was lured to a more active sympathy with the darling aim of Rome by the scheme for enthroning his second son as a puppet king in Sicily. A formal cession of Sicily to the boy Edmund was made by a papal notary in 1255; and Henry stood pledged to repay all the war costs incurred by Alexander IV. The causes of religion and patriotism were henceforth seemingly united. The king was assiduous in begging, borrowing, and exacting. The Gascon Rustand shortly came as legate, and sped the depredations.

The Lyons protest, however, spoke the real sentiments of England; and, long before Rustand's visit, the continual despoliation had impaired even Grosseteste's deference to St Peter's chair. So impressed was he with his country's wrongs that in 1250 he appeared at the papal court himself, with a strongly worded protest against curial venality, which was read in Innocent's presence. In a subsequent letter he calculated the amount of money drained yearly from England by the pope. 'The clear revenue of the crown was not a third thereof.'[1] It was these plain deliverances that provoked the celebrated trial of strength in 1253. As a test of his censor's obedience, Innocent wrote demanding for a boy nephew, Frederic Lavanga, induction to a canonry at Lincoln. Grosseteste refused. His doctrine of papal supremacy has been presented. Against it may now be set the moral distinction by which he justified his contumacy. 'I am bound to obey all the commands of the Apostolic See: but these are not Apostolic commands which are not consonant to the doctrine of the Apostles. . . . The most holy Apostolic See cannot command that which verges on odious, detestable abomination.' The dilemma was precisely that of the maintainers of the Divine right of kings when confronted with a James II. Dr Maitland's criticism is just: 'the bishop who makes a stand against the pope at the line between use and abuse is indeed heroic, but his is the heroism of despair.'

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[1] *Cf.* Matthew Paris.

Grosseteste died shortly after this affair. Though never canonized, he left a fame far greater than that of Edmund Rich. As one of the few Englishmen who could read Greek, he had played a prominent part in the intellectual revival; and his own theological writings were long invested with almost Patristic authority.[1] From 1235 onward he appears as a pattern diocesan, stimulating spiritual effort, quashing monastic insubordination, encouraging learning, and repeatedly calling Henry III. himself to task for his misgovernment of Church and State. The celebrity of the Lavanga episode was increased by the story of Innocent rejoicing at his foe's death, and proposing to insult his tomb. The shade of Lincolnensis, less placable than that of St Edmund, upbraided the unworthy pontiff, and banned the few remaining months of his career. 'From that night he was wasted by a slow fever. All his schemes failed, his armies were defeated, he passed neither day nor night undisturbed. Such was believed by a large part of Christendom to be the end of Innocent IV.'[1]

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[1] 'Probably no one,' says Dr Luard, 'had a greater influence on English thought and literature for the two centuries following: few books written then do not contain quotations from Lincolnensis.'

Grosseteste's resistance acted as a healthy stimulant on the clergy, and they thenceforth assumed a bolder attitude towards the two oppressors. Rustand found our island equally sick of the Hohenstaufen quarrel and indifferent to Prince Edmund's elevation, and he was shortly faced by a federation of resistance including almost all the bishops. The leaders were Fulke Basset, Walter Cantilupe of Worcester, and the new northern primate Sewall de Bovill. Fulke actually prohibited any process in his diocese on the strength of the legate's letters. The mutinous spirit infected even the Cistercians. They evaded Rustand's demands, alleging inability to act without directions from a chapter of the Order. Yet more ominous was the attitude of the lay magnates. In the Lent Parliament, 1257, the pope's ambassador presented a bill of 135,000 marks. Henry pleaded hard, but no subsidy could be wrung save from the prelates. They denied all responsibility for his bond, but at last promised 50,000 marks. Next year the complete depletion of the exchequer led to the sessions of the Oxford Parliament, and the practical supersession of the incapable king.

The political story of 1258-1265 lies outside our province. We notice, however, that Boniface and Fulke were included in 1258 in the king's committee of twelve, and Walter Cantilupe in that of the barons, and that Boniface and Cantilupe were the representative Churchmen in the permanent council of fifteen. For a time Boniface and the Savoy faction affected co-operation with the constitutionalists, actuated really by hatred of the Lusignan favourites. Of these the most notable was Aylmer of Valence. By favour of his royal half-brother Aylmer had secured 'innumerable pensions' on the Church, and been with Innocent's assistance foisted on the Winchester chapter as far back as 1250. He still remained unconsecrated, however, and was in general detestation as the chief agent in the two-fold oppression. Aylmer and his two elder brothers were included in Henry's twelve, but they attempted to resist the ordinance demanding the resignation of all castles held by foreigners. They were besieged at Wolvesey, and being compelled to surrender, were expelled England in the autumn of 1258, with their vast accumulations reduced to 6000 marks. Aylmer sought redress at Rome; and secured from Alexander consecration, and an interdict against the chapter for attempting to fill up the see. But his death at Paris in 1260 saved Winchester from renewed obsession.

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[1] Milman, Bk. X. ch. v.

In unpopularity, however, the queen's relatives ran the Lusignans hard, and they did not long survive the dispersion of their rivals. Boniface himself stayed on in England till the end of 1262, playing a shifty part, and distrusted by both sides. He then retired to France where he disseminated the pope's excommunication of the barons, and even tried to raise forces on Henry's behalf. The other prelates appear to have acted with moderation, and done their best to prevent the constitutional struggle drifting to an appeal to arms. Cantilupe of Worcester, Burghsted of Chichester, and Henry Sandwich, the new bishop of London, were specially active in the vain attempt of 1264 to secure an impartial mediation on the part of Louis IX.

One happy result of the changes in 1258 was the release of England from further concern in the Sicilian project, for before the end of the year Alexander cancelled the grant to Edmund, and he shortly transferred the insular crown to Charles of Anjou, the brother of St Louis. None the less did the Papacy labour to perpetuate Henry's misgovernment of England. Following in his father's footsteps, he appealed for relief from his pledges, and two popes accorded him Bulls, annulling the Oxford and Westminster Provisions, and freeing the whole royal family from its responsibilities.[1] Henry's defeat at Lewes (May 1264) provoked sterner measures, Ugo Falcodi being now despatched as Urban's legate, with an armoury of excommunications, depositions and provisions. Indulgences were offered to the royalists, as in the case of a crusade against the infidel. The friars were ordered to stump England in the captive Henry's cause.[2] Ugo, however, deemed it unsafe to proceed farther than Boulogne; and here, in concert with the fugitive Boniface, he summoned a conference of English prelates. Four of suspected loyalty (London, Winchester, Worcester, Chester) were ordered to take the papal briefs to England. They were subjected, doubtless not unwillingly, to a search by the customs-officers at Dover. Their precious consignment was adjudged contraband, and pitched into the sea.

How little the English Churchmen sympathized with the cause of tyranny was shewn again by the extraordinary predominance of lords spiritual (abbots as well as bishops) in de Montfort's Parliament.[1] But the fair promises of constitutionalism were to be nipped by the great patriot's quarrel with Gloucester. August brought the crushing victory of the royalists at Evesham; and Rome promptly availed herself of the opportunity. Cardinal Ugo was now Pope Clement IV., and had not forgotten the Boulogne fiasco. As his legate there now came the cardinal deacon Ottobon, triumphantly escorting back the unpopular queen, and charged with an interdict should there be renewed resistance. Ottobon was already sufficiently odious as a non-resident Italian who held the lucrative archdeaconry of Canterbury. At Westminster he fulminated excommunications on de Montfort's adherents, and annulled all the recent legislation. At a synod at Northampton he punished the four bishops with a temporary suspension, and deprived certain of the constitutionalist clergy of their benefices. Prebends and pensions were again distributed among the papal favourites; and the hapless clergy were mulct of tenths, and 30,000 marks besides, for Henry's debts in the matter of the Sicilian crusade.[2]

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[1] Alexander's Bulls date April and May 1261, Urban's February and May 1262. To provide against action by the English bishops, Urban exempts the king and queen from all sentences of excommunication for five years, November 1262.

[2] In Urban's letter of February 20, 1264, Henry is declared to be vested 'plenaria potestate in omnibus et per omnia.'

It should be noticed that the barons' struggle was maintained, feebly and spasmodically, for nearly two years after Evesham, and that when the Dictum of Kenilworth (July 1267) at last brought peace, the reassertion of royal authority was balanced by considerable advantages to the constitutionalists. Not only was the forfeiture of charters and estates commuted for a fine, but the Parliament of Marlborough was allowed to cede in statutory form almost all that had been demanded by the Mad Parliament. For the rest of the reign there was unbroken political repose. In the ecclesiastical sphere Ottobon now reigns supreme, and the last noteworthy incident is his Council at St Paul's in 1268, where he passes Constitutions afterwards held in special honour by the canonists. Canon law is, however, here even more than usually at variance with the actual facts of life. One of these legatine enactments enunciates the absolute exemption of Church property from secular taxation. Winchelsey attempted to make this claim effective in the next reign; but, as a fact, the clergy always paid taxes, and usually on a higher scale than laymen.[1] Pluralities were again denounced with like unsuccess; and, as if in ignorance of the careers of Philip and Boniface, and the present enlistment of French bishops in Charles' crusade, Ottobon also proclaimed the iniquity of clerics bearing arms. His constitution against clerical marriage was only so far effective that the not uncommon claim of a rector's son to inherit the paternal benefice was now happily extinguished. The prohibited unions defied Archbishop Peckham's order that the canon 'contra concubinarios' should be read at visitations and ruridecanal chapters, and such ruling as Quivil of Exeter's, that the parson's bequests in favour of his widow were null and void. Bishop Bokingham, on his visitation of Lincoln a century later, found almost all the cathedral clergy themselves violating the canon. The general result of the impracticable restriction was a system of recognized evasions which survived till the Reformation. Though not scandalous to charitable eyes, it doubtless exposed some of the best clerics to spiteful disparagement, and tended to bring all canon law into contempt.[1]

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[1] The Archbishop of York, twelve bishops, sixty-five abbots, and thirty-five priors were included in the writs. Of earls there were only five, of barons only eighteen. This was the first Parliament that united the magnates (lay and clerical) in a single assembly with the representatives of shires, cities and boroughs.

[2] Clement's authority was vindicated even against the dutiful Henry, Walter Giffard being in 1266 translated to the northern primacy vacated by Sewal's death, though the king had nominated Dean de Langton.

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[1] Bishop Stubbs estimates that under the Edwards more than one-third of the national subsidies was provided by the vote of the Convocations. Later, we repeatedly find that when Parliament granted the King a fifteenth, the clergy in Convocation voted a tenth.

Against Provisions and Reservations were raised hereafter legislative bulwarks, which were only ineffective through the sovereign's indifference or connivance. Less free from obstacles was the new charge of annates or first-fruits, imposed by Alexander in 1256. The accounts of this impost are conflicting; but it appears that it was laid on all the benefices again with Edward I.'s co-operation in 1288; and that after the accession of Edward II. it was regularly levied by the popes on those of bishops and abbots, the annate being reckoned as a moiety of the first year's income. If the prelate held his own benefice 'through reservation,' he was also responsible for annates from such clergy as he might collate to benefices; and all livings secured by provision or reservation were chargeable. The tax was more extensively applied by the anti-popes in France during the Great Schism; but England in 1399 successfully resisted Boniface IX.'s attempt to demand annates from every incumbent. In 1531, however, it was calculated that a sum amounting to £40,000 of modern money had long been paid annually on this score to Rome. Annates and other dues must not be forgotten in estimating the financial position of the mediæval prelate. Usually, as Canon Capes shows, he was hampered with debts to Italian money lenders, contracted in defraying initial expenses. His estates were mulct also on vacation by great dilapidation charges; and by the Crown's claim to corn found in the granges, and to all the growing crops. The registers often record subscriptions among the clergy to meet the indebtedness of their new diocesan. In some cases, indeed, the bishops of the Edwardian period can be shown to have died hopelessly insolvent.[1]

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[1] 'The Pope,' it was said in Matthew Paris' time, 'deprived the clergy of sons and the devil sent them nephews.' Decency was, however, satisfied provided the wife was not in evidence under the cleric's roof. To the real sins of promiscuous connexion and loose living, the ecclesiastical discipline was marvellously lenient. See Cutts' *Parish Priests and their People*, ch. xvii.

The reign of Henry III. curiously combines with a story of misrule and political disorder, one of extraordinary revival in religious and intellectual life. In no other reign was there so much activity in building and enlarging churches, monasteries and colleges. This kind of work was much stimulated, no doubt, by the dominant doctrine of indulgences and commutation. Its extent is nevertheless amazing, bearing in mind how the founts of charity had been already tapped by pope and king. No fewer than 157 religious houses were reared—many of them, of course, intended for the reception of the new mendicant fraternities. Salisbury cathedral was begun and finished; the greater part of Wells cathedral was built. Other instances are the choir and transepts of Westminster, the presbyteries of Ely and Lincoln, the choirs of Southwell, Rochester and the Temple church, the chapel of the nine altars at Durham, the transepts added by de Gray at

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[1] Annates had been demanded in quite early days as a quasi-voluntary offering from anyone consecrated by the pope. The doctrine that they were a fee due to the pope, as chief lord of the Church, was apparently first broached in the pontificate of Boniface VIII.

York. Indeed, there is scarcely a great church on which this period of the Early-English Gothic (developing latterly into the geometrical Decorated) has not left its mark.

Equally striking are the evidences of intellectual and educational activity. The schools at Oxford and Cambridge now adopted a corporate organization, modelled after the University of Paris. To provide against fluctuation in her numbers, Oxford introduced our, almost peculiar, collegiate system, with the foundations of University and Balliol in 1249 and 1263. Its association with the training of Seculars, and the concomitant emancipation of clerical education from monkish influences, were the happy idea of Walter de Merton[1] (1264). The wisdom of his scheme was at once apprehended, and his college soon produced an extraordinary number of distinguished men: among them the four primates, Winchelsey, Meopham, Stratford and Bradwardine. At the sister University, Bishop Balsham of Ely exactly reproduced Merton's code in his own foundation of Peterhouse (1276). Cambridge's celebrity is as yet far distant: but the one primate she contributed before the Reformation was a Secular from Peterhouse. Oxford, on the other hand, was now famous throughout Europe; and in 1257, when she appealed to Henry against the Bishop of Lincoln's encroachments, she boasted that she was the *schola secunda ecclesiæ*,—*i.e.* second only to Paris, the great centre of theological erudition. Her schools were frequented by an enormous number of students, native and foreign, and produced some of the greatest of the new Schoolmen.

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[1] Henry's chancellor in the years 1261-5, Edward's in 1272-4, Bishop of Rochester from 1274 to 1278.

It seems a far cry from the missionary enterprise described at the beginning of this Chapter, to the arena of scholasticism. The two great Mendicant Orders, however, early succeeded in securing its control, and evolving or affiliating to themselves its most redoubtable champions. In the case of the Dominicans, the divergence is explainable by their position as custodians of orthodoxy, and thus deeply concerned in the trend of all intellectual movement. In that of the Franciscans, therapeutics and natural science appear to have been the stepping-stones to the study of scholastic philosophy. The Friars had settled early in our university towns; and here, as at Paris, members of religious orders enjoyed the advantage of being eligible for degrees.[1] Besides an occasional association with foreign scholastic luminaries, Oxford produced at least four native Schoolmen of the first rank, all of whom were associated, sooner or later, with the Order of St Francis.

This new scholasticism may be regarded as a transition from the intellectual bondage of Peter Lombard[2] to a tangled wilderness of thought, which, however barren, brought men many steps nearer to the renascence of learning. The chosen guide was Aristotle, made known by the crusades, and translated through several Eastern languages into Latin. At first Aristotle's influence was confined to dialectics; our own 'irrefragable' Franciscan, Alexander of Hayles, having introduced at Oxford the syllogistic method afterwards universally accepted. Gradually the Physics and Metaphysics surmounted the suspicions of the Church; and at last the whole field of philosophy was so dominated by Aristotle that he was regarded as a Gentile John Baptist, and his canonization seriously suggested.

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[1] A privilege which, according to Dr Mullinger, was not extended to them by any other University till 1337.

[2] Theology had been dominated hitherto by the 'Four Books of Sentences' of Peter Lombard (d. 1164). This work presented citations from Augustine, Anselm and other great authorities, as if the final judgments of a court of appeal, and begat a vast literature of jejune commentaries. England alone is said to have produced 164 expositions of the 'Master of the Sentences.'

To do justice here to the ramifications of theology under the new Schoolmen would be impossible. Broadly, it may be said that while the Dominicans were enamoured of extreme Augustinianism, the rival Order affected larger and more genial tenets. The Dominicans devoted themselves to a jealous maintenance of the new dogma of Transubstantiation: the Franciscans sought to impose that of the Immaculate Conception of the Virgin.[1] As against Albert the 'Universal' doctor, and Thomas Aquinas the 'Angelical,' the Franciscans could show their 'Seraphic' Bonaventura: and Oxford gained fresh distinction when Bonaventura's mantle fell on the 'Subtle' north Briton, Duns Scotus (d. 1308), who pushed Realism to its extreme and gave the name 'Scotists' to the opponents of the Thomist philosophy.

The other two great Oxford Franciscans claim modern sympathy as breaking loose from the narrow arena of hair-splitting controversy, and preparing the way for a larger intellectual life. William of Occam in Surrey, the 'Invincible' Nominalist doctor, belongs to the next generation of Schoolmen; and we shall notice hereafter his defence of 'Evangelical Poverty'

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[1] Disallowed by St Bernard; hotly opposed by the Dominicans; admitted by the anti-papal council of Basle (1431-49): and finally made an article of faith by Pius IX. in 1854.

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against the Avignon pope John XXII. As a philosopher, he claims the merit of denouncing the endless hypostatizing of abstractions, and of thus unconsciously undermining the gross dogma of transubstantiation. His repute for orthodoxy was secured by the premises that theology is not a science: and that there are two kinds of truth, the one according to philosophy, and the other according to the Church. But even in the superstitious times of Henry III., Roger Bacon had more than anticipated this advance. Distinguishing between blind adoration of an ill-translated Aristotle and the real Aristotelean method—induction by experiment—Bacon laid his finger on the very causes of obscurantism, and even grasped the essential principles of modern science. 'There are,' he sees, 'four stumbling-blocks in our search for Truth'—unworthy authority; old custom; the imperfection of untrained senses; vanity concealing ignorance under the veil of wisdom. Truth is not to be gauged by popularity or by the fiat of authority: nor is it reached by the dialectic of an Alexander of Hayles. Authority itself is valueless till reason attests its claim; and dialectic can only be cleared of its fogs by experiment. Verification, then, is the real work of the human mind, verification by experiment. Bacon's protest against intellectual thraldom in no way impugns Divine Revelation; for he makes exception in favour of 'that truth and solid authority which by God's choice has been placed in the hands of His Church,' and he sets mathematics 'second to that only perfect wisdom which is to be found in the Scriptures.' But that he was an object of suspicion as well as 'wonder' to the thirteenth century is sufficiently intelligible; and he dearly paid for the error that attached him, when aged thirty-six, to the Franciscan brotherhood. Bonaventura himself had him expelled from Oxford in 1257, and for the next decade he was kept under restraint. The curiosity of Pope Clement IV. then permitted a publication of his three large treatises, but this papal patronage did not avert fresh sentences of condemnation and imprisonment. At the close of his life, however, he was again at liberty and publishing his 'Compendium of Theology' (1272). As a philosopher his influence is recognizable in Occam, but centuries passed before there was any appreciation of his real merits.[1]

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[1] As a scientist, Bacon was so far in advance of his times as to understand the principle of the telescope, and the cause of the rainbow, and to construct burning-glasses of considerable magnitude. He had detected the error in the Julian year, and he suggested its correction by papal authority. In chemistry he had, perhaps, reached the invention of gunpowder. It is supposed that this extraordinary precocity is attributable to acquaintance with Jewish and Moorish science.

CHAPTER V

EDWARD I

THE concordat of 1267 brought a period of unbroken peace; and in 1270 Prince Edward, who was practically king, made no scruple about leaving England for the crusade. A triumvirate, headed by Giffard, Archbishop of York, ruled till his return in August 1274. In the interval there were a new French king and emperor; and in 1271 the Papacy, after being kept vacant three years by the scandalous dissensions of the cardinals, received as its representative Gregory X., a man of peace and high principle, and perhaps the best pope of the century. Gregory cherished the magnificent project of reuniting Christendom; and his 2nd Council of Lyons (May 1274)—which in its large attendance and pacific aim contrasted most favourably with Innocent IV.'s assemblage—seemed to give it realization. Michael Palæologus, conciliated by Gregory's abandonment of the cause of the Latin emperors, signed an act of submission to the Papacy, along with his prelates; and the Greek representatives at Lyons declared their Church's acceptance of the Filiogue clause in the Nicene Creed, and acknowledged the supremacy of Rome. This unqualified surrender, however, was really odious to Michael's subjects; and its repudiation was fostered by Charles of Anjou, who aspired to become Latin emperor himself. The Greeks rose against Michael's successor, who was forced to disown the whole procedure in 1279.

The chair of Canterbury had been voided by the death of Boniface on his way to the crusade in 1270, and here, too, there was a prolonged vacation. The two great Mendicant Orders were now making their way to the highest places in the Church, much as the Cistercians had done in Stephen's time. Boniface's successor was eventually Robert Kilwardby, a learned Oxford Dominican (1273-78), and we shall see him followed by a Franciscan. When, in 1288, the General of this Order became Pope Nicholas IV., the English Minorites boasted that both sun and moon had put on the grey friar's cowl.

Kilwardby's elevation included the now familiar element of papal interposition. Before leaving England, Edward had burst in on a convention of the Canterbury chapter, and tried to enforce the nomination of his confidante, Robert Burnell. The monks persisted in electing their prior, Adam de Chilleden, and appeal was made to Rome. Gregory, himself a crusader and a personal friend of Edward's, was allowed to supersede the English candidates; not, however, without a caveat that the encroachment was not to be construed as a precedent. That Kilwardby's selection was well received may be inferred from the rise at this time of the great precinct of Blackfriars, on a site given by the London aldermen. The king and queen contributed to the cost of these new buildings, which long enjoyed peculiar immunities, and sometimes served as a meeting-place of parliaments. The period of this primacy is otherwise only memorable for the abovementioned Œcumenical Council, which Kilwardby attended along with certain suffragans.

It is supposed that Pope Nicholas III. pressed Kilwardby to resign, in the hope of providing a primate of a more pushing type. He accepted, in 1278, the cardinal-bishopric of Porto; left England (taking off, unfortunately, all the registers of his predecessors in the primacy); and died shortly afterwards at Viterbo. It was assumed by the popes of this time that the decease of a bishop *in curia—i.e.* while attending the papal court —gave the pope a right to nominate his successor. This plea was successfully used against Edward. Though he had persuaded the chapter to postulate the translation of Burnell from Bath and Wells, the place of the black friar was filled by a grey, in the person of John Peckham, a noted theologian and physicist, who had for two years held office in the curia as examiner in causes of heresy. The primacy of this pompous little schoolman, was, in aim at least, more in harmony with Hildebrandine ideas than any since Becket's. But the appointment, prejudiced from the outset by his ostentatiously styling himself 'the creature of the pope,' was discredited by a spirit of fussy, tactless, well-meaning pedantry. In person, character, and conduct Peckham has often been compared to his seventeenth-century successor, William Laud. The Church gained little by his conscientious efforts to magnify his primatial authority and assert the dignity of the courts Christian, and they involved much quarrelling with king and bishops.

John Peckham reached England in June 1279. Within six weeks he summoned a provincial synod, to denounce the abuse of pluralities, and pass canons against violation of clerical immunities. Copies of the Great Charter were to be posted up in cathedrals and collegiate churches, and the clergy were to expound its bearing on their privileges. Excommunicate, *ipso* *facto*, were all who should secure letters from a lay court to stay cases in courts ecclesiastical. Excommunicate were all who should distrain on clerical houses and granges. Excommunicate, too, added Friar John (small alike in mind and body), were all who supplied the Archbishop of York with food, should he come to Parliament with his cross erect. The innuendo that the charter was violated deeply offended Edward, and he brought the matter of this synod before a Parliament, and ordered that all the canons dealing with secular matters should be withdrawn. Peckham, however, in 1281, secured permission for another synod at St Paul's, and, despite royal warnings, repeated his vindication of the pretentions of the ecclesiastical courts. He even sought to withdraw from the civil courts all suits concerning Church patronage. Again Edward annulled the proceedings. Peckham had to retreat, and limit his claims to 'such cases as could in no way, and have not been wont to be determined by secular judgment.'

At Reading the primate had practically flung his gauntlet at the civil lawyers, who were now attaining a distinct professional position. Edward's chancellor was Bishop Burnell, whose aspirations had been twice defeated by papal patronage of the Regulars. The readiness of Burnell and his master to take up the challenge was attested by the carriage in the Michaelmas Parliament, 1279, of the celebrated Statute *De Religiosis* (commonly called that of Mortmain), as a bulwark against transfers of property to 'dead hands,' to the detriment of the king's claims to military service. All such grants without special leave were now prohibited, under penalty of forfeiture to the supreme lord. The statute was a reassertion of the unity of Church and State, and was justified by the Regulars' vast accumulation of lands, exempt from relief and wardship, and useless to the king in time of war. The *De Religiosis* eventually proved no real obstacle to the creation of new Regular establishments, royal dispensations being usually easily obtainable. It betokened, however, a change in sentiment, and a more rational view of the claims of the 'religious.'

Later on, Peckham's juridical theories were assailed by the royal ordinance, *Circumspecte Agatis* (1285), whose delimitation of the powers of the courts ecclesiastical was afterwards confirmed by a statute of Edward II.[1] An extensive province was still left them. Besides their prerogative of settling questions concerning marriages and wills, they could inflict spiritual correction for mortal sin or for libel, for assault upon a clerk, or neglect of churches and churchyards. Disputes about tithes, oblations, and mortuaries were also subject to their decision. But the claim to fix this boundary was itself a distinct assertion of the predominance of the lay partner, and a blow to Peckham and the papalists.

The protest against the northern primate's cross led to unedifying scenes. William of Wickwaine, who now held York, had been appointed, like Peckham, directly by the pope in 1279. He defied the Constitutions of Reading, and had reason to complain afterwards to the pope of grievous indignities,—how Peckham's official, 'with Satan and his satellites,' attacked him so that the cross was broken, and how his rival pushed his success with a discharge of fresh excommunications. The inter-primatial dispute became so serious that Edward had to intervene in the interests of public peace. Even more damaging to Peckham's prestige were his contests with his suffragan, Thomas Cantilupe. In the reign preceding, Thomas, as Archdeacon of Stafford, had rivalled his uncle, the Bishop of Worcester, in political activity, and he had been the Barons' chancellor in 1265. Edward, with his usual magnanimity, forgave him, and sanctioned his promotion to the Bishopric of Hereford. Though a man of real piety, Cantilupe did not scruple to read similar constitutional ideas into his ecclesiastical relations, and he posed repeatedly as the champion of the suffragan bishops against strained primatial authority. Excommunicated by Peckham, he sought redress at Rome. He died at Orvieto shortly after a favourable reception by Martin IV. (1282); but his remains proved potent to discomfort the Diotrephes of Canterbury. Not only was Peckham's mean attempt to refuse them Christian burial defeated, but such an outcome of miracles followed their transfer to their present tomb in 1287, as to argue claims to canonization. Edward, of course, abetted the national petition to the pope. Its satisfaction was delayed till 1320, when a Bull of John XXII. proclaimed the deceased prelate St Thomas of Hereford, who 'was wont to defend the rights of his Church, clad with justice as with a corselet.'[1]

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[1] The *Articuli Cleri* of 1316.

It should be added that Peckham, albeit a pedant and a martinet, showed a commendable zeal in resisting the accumulation of benefices by Edward's favourites, and maintaining the principle of pastoral responsibility.

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[1] Thomas Cantilupe was the last canonized Englishman. On his exemplary administration of the disordered diocese of Hereford, from 1275 onward, see Tout, *Nat. Dict. of Biogr.*, *s.v.*

On the ground that they were pluralists, he refused to accept De la Mere, the bishop-elect of Winchester, and prevented John de Kirkeby, the king's treasurer, from being proposed for Rochester. He even attacked the malpractice in the north; and made the powerful Antony de Bek resign five benefices after his accepting the Bishopric of Durham in 1283. Roger Longespée of Lichfield, too, one of King Henry's obtruding aliens, received from this strenuous metropolitan a mandate to reside within his see. 'Though as a foreigner, ignorant of English, he could not feed his flock with the word of preaching, he could at least make some provision for the poor.'[1]

In his celebrated expulsion of the Jews (1290) Edward had the special encouragement of Peckham, and of the queen-dowager, who had now taken the veil. It is only fair, however, to add that this cruelty was universally commended, and that a grateful Parliament rewarded its perpetrator with an extraordinary grant. It must be remembered that the religion that branded the Jew as a pariah and forbade him to hold landed property, also regarded the financial pursuits to which he was driven as an unnatural crime,[2] permitted him only as born to supply the wants of kings, and because he was *qua* Jew already irrecoverably doomed. Among all classes, moreover, the same stories of Semitic atrocities were rife as are credited to-day in the backward countries of Europe. This indictment had in the last reign produced the boy martyrs Hugh of Lincoln and William of Norwich; and the subsequent executions elicited confessions that 'almost every year the Jews crucify a boy, as an insult to the Lord Jesus.'[1] The Jews had been harassed by the baronial party for their loyalty to Henry, and they had since experienced the alternations of Edward's piety, cupidity and zeal for justice. The king compelled them to hear the discourses of Dominican preachers, and opened a *domus conversorum* for proselytes from Judaism. He forbade their taking interest, and when they were reduced to clipping his coinage had three hundred hanged. In 1287 he suddenly imprisoned all the Jews in England simultaneously, and exacted a huge ransom for their liberation. The climax was the royal order of 1290, that every Jew should depart within two months, under penalty of death. Some 16,500 passes were issued, and Edward protected their flight and rewarded himself by an appropriation of their abandoned wealth. The Jews were not seen again in England till the time of Cromwell. Their business as money-lenders—and a fair share of their unpopularity too—was demised to the Italian agents connected with the pope's exactions. These Lombard and Florentine usurers somehow contrived to evade the canonical prohibitions. They obtained special privileges from the Crown, and vastly extended their predecessors' financial operations, to the great benefit of commerce.

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[1] Capes, *English Church, etc.*, p. 23.

[2] See Lecky, *Hist. of European Morals*, vol. i. ch. ii.; *Rationalism in Europe*, vol. ii. ch. vi.

Edward was now in the zenith of his fame. He had conquered Llewellyn, and restored England to a leading position abroad; and his reputation for justice was such that in 1282 he had been selected to mediate the great Sicilian dispute. Burnell died in 1292, shortly after declaring the king's judgment in the matter of the Scotch succession. His place in the royal counsels was ill filled by the Langtons and de Beks, and Edward will henceforward appear involved in incessant difficulties with France and Scotland, and renewing the old story of arbitrary and unjust exactions. It is curious to find that the chief obstacle to his tyranny was a primate of his own selection, who was also a strong papalist.

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[1] Matthew Paris, *s.a.* 1225. Chaucer's *Prioresse's Tale* and that of the *Jew's Daughter* in the *Percy Reliques* are illustrations of the common belief.

Robert Winchelsey was a learned Secular, of such fame that he had been appointed chancellor of Oxford and rector of Paris University. When Peckham died (December 1292), the king, who had doubtless had enough of friar primates, secured his election by the Canterbury chapter: and it was readily confirmed by the pious anchorite whom a freak of the cardinals elevated for nine months as Pope Celestine V. It was the first appointment since Hubert's death exempt from papal interference, and there was every prospect of peaceful relations. While, however, Winchelsey was still in Italy, the unpractical hermit pope was persuaded to resign. His successor, the high-born Gaetano, is memorable in papal history for pushing the principles of the Gregories and Innocents to their highest pitch, and ending a conflict with Philip IV. of France with an ignominious death. Hated alike by the creatures of the unprincipled Philip, by rival Italian nobles and by the monkish admirers of the deposed Celestine, Boniface VIII. was afterwards said to have 'come in like a fox, reigned like a lion, and died like a dog.' To understand Winchelsey's career as primate, it is safest to suppose that he united, with a strong belief in the high Hildebrandine doctrine presented in Boniface's Bulls, no less strong constitutionalist proclivities. The combination is unusual: but there is no real reason to regard Winchelsey as an intriguer, who only affected patriotism to subserve the cause of popery.

Edward had been tricked by Philip in the negotiation for adjusting the international dispute; and, while the new primate was still in Italy, he was endeavouring to finance an expedition to recover Gascony. The Jews were gone: the need of funds was urgent. The 'greatest of the Plantagenets' stooped to measures worthy of King John. He seized the merchants' wool; appropriated money deposited in the monastic treasuries; and extorted from the clergy a subsidy of half their spiritual revenue, at a time when the boroughs were only contributing a sixth, the shires but a tenth. William Montfort, Dean of St Paul's, fell dead in Edward's awful presence, while tendering a protest against this iniquitous exaction (July 1294). The prelates then assembled in council to decide what course to take: but they received a peremptory warning that whoever opposed the royal will would be treated as an outlaw. They reluctantly submitted, and the tax was paid.

This French expedition was a failure, and the distraction of a Welsh rising further exhausted the royal funds. Next year the Scots were in open league with France, and Philip was blockading our ports. It was this grave peril that necessitated the convening of the so-called 'Model Parliament' at Westminster (November 1295), where the clerical representative element was the same as in the future Convocations.[1] Barons and knights here contributed an eleventh, and the boroughs a seventh. But the clergy were now strengthened by the guidance of Winchelsey. They withstood Edward's demands for a third or a fourth, and he had to be contented with a tenth.

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[1] See Appendix, note IV.

Winchelsey's action so far seems to have been amply justified by the outrageous fleecing of the preceding year. But he was shortly to present the whole matter of fiscal relations in a very different aspect. The French clergy were at this time groaning under grievous exactions on the part of Philip IV. On behalf of the whole clerical order, Pope Boniface VIII. suddenly enuntiated the celebrated Bull, *Clericis Laicos* (February 1296). Against the abuse of civil claims, he opposed that outrageous doctrine of complete clerical exemption which had hitherto been but a canonical counsel of perfection. The gist of this Bull was as follows: 'The laity have ever been hostile to the clergy. Recent experience confirms this truth. They are ignorant that over ecclesiastical persons they have no power whatever. Yet they have dared to extort both from the secular and regular clergy a twentieth, a tenth, a *half* their revenue. On no pretext is any such tax to be levied without papal permission. Every layman of whatever rank receiving such taxes is *ipso facto* and permanently excommunicate. Every ecclesiastic who submits to them is at once deposed.'[1]

It was no fault of Archbishop Winchelsey's, if this final development of the Hildebrandine theory failed in England as completely as it did abroad. In November 1296, Edward having triumphed over the Scots, convened a Parliament at Edmundsbury, with the same constitution as its predecessor, to subsidize another expedition into France. The necessity of the enterprise was admitted: and barons, knights, and burgesses all voted liberal supplies. But, on behalf of the clergy,

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[1] Milman, *Lat. Christianity*, Bk. XI. chap. viii.

Winchelsey claimed the protection of the recent Bull. 'We have two lords over us,' he argued; 'we owe greater obedience to our spiritual than to our temporal head.' The most he would cede was an application to the pope for permission to pay. Edward allowed the matter to be deferred till Hilarytide. The southern Convocation met, stood by the primate, and dissolved without voting a grant. The threat of 1294 was now carried out, the king's chief-justice being directed to put the clergy of the whole province outside the protection of the civil courts. Their lay fees were taken into the king's hands.[1] They experienced open violence on the public roads. It was in vain that Winchelsey retaliated by excommunicating all who acted in defiance of Boniface's Bull.

It has been supposed that our primate had some concern in the issue of Boniface's *Clericis Laicos.* Doubtless a correspondence with Rome this summer made him prescient of the impending change in papal tactics. Edward's wish for a reconciliation is intelligible enough, for he was about to leave England, and was experiencing a formidable baronial resistance to his military levy. The restoration of amity was advertised by Winchelsey's appearance at the king's side, on the occasion of the pathetic valedictory appeal at Westminster. He now tearfully promised fidelity, and undertook to convoke the clergy again. This occurred on July 14. On July 30, Boniface issued the *Etsi de Statu*, and explained away the uncompromising language of his first Bull. The upshot was that before Edward departed (August 22) he had formally received the clergy into his protection and requested their prayers, and Winchelsey's Convocation had arranged that he should receive a third.[1] The primate's version of this pacification was that the king promised a confirmation of the Charter, if the clergy would but continue to vote him subsidies.

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[1] February 12, *cf. B. Cotton*, p. 318. On February 6, the clergy of the northern province, who had yielded, obtained letters of protection.

Whatever the extent of this pledge, a new and wiser policy was henceforth adopted by Winchelsey. Directly Edward left, he devoted himself to the task of guiding the baronial antagonism to the arbitrary methods of the Crown, and of sheltering all orders of men under the ægis of constitutionalism. His opportunity came this autumn, when our defeat at Cambuskenneth necessitated immediate levies for the north. Co-operating with Bohun and Bigod in their protest against arbitrary raising of tallages and aids, Winchelsey secured from the young prince, not only a confirmation of the charter, but an acknowledgment of new articles[2] subordinating such demands to Parliamentary consent. The king was forced to ratify this concession with his own signature at Ghent, November 5. The incident stands out as a landmark in our constitutional history. There are those, indeed, who accord to Winchelsey, as a champion of our civil liberties, almost even rank with Stephen Langton. Though the French war was shortly suspended, the Scotch difficulties remained: and fresh concessions were secured during the next three years, his work being crowned by the disafforestments ceded to the Lincoln Parliament (January 1301.) So strong seemed his position that he included in a bill for the king's consideration an article subordinating clerical taxation to papal assent, and he did this it seems with the consent of the barons.

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[1] *I.e.* one-third of the temporalities, the lay fees of the clergy being taxed with those of the laity. On the other hand, their spiritualities (tithes and oblations), on which Edward had made his swoop of 1294, were exempted from taxation.—Stubbs, *op. cit.*, chap. xiv.

[2] Known generally as the Statute *De tallagio non concedendo.*

Obviously Edward's best policy was to sever the lay and clerical factors in this confederacy. Winchelsey's notoriety as an uncompromising papalist was here of service. In August 1300, while the king was on his Scotch campaign, the primate had presented to him a Bull of startling tenour. Boniface himself claimed Scotland as a papal fief, at her own request, and on the ground that her conversion was due to the relics of St Andrew. The pope declared her submission of 1291 null and void. He demanded that if the king still maintained his pretentions he should, within six months, appear personally at the papal court. Before the dismissal of the Lincoln Parliament[1] Edward made notification of this Bull *Scimus Fili*, and, appealing in his turn to patriotic sentiments, turned the tables on the Romanizing primate. The immediate result was a letter, in which seven earls and ninety-seven barons, in the name of the whole community of England, disowned the papal pretention, and expressed their determination to protect the dignity of the Crown. 'The king shall not answer before the pope, or undergo judgment, touching the rights of the kingdom of Scotland, or any other temporal rights. We will not suffer him to comply with the mandate, even were he to wish it.'[2]

Winchelsey was never a popular personage, and from this time his influence was fatally impaired. He failed to get even Pope Boniface on his side in his, perhaps spiteful, attack on Walter Langton, the treasurer;[1] and this affair lost him the friendship of other suffragans, especially those engaged in secular employments. By the laity he was suspected of a deliberate design to introduce into England a counterpart to the struggle of Boniface with Philip IV. His disciplinary canons enacted at the synod of Merton in 1305 were probably lightly regarded by the clergy. At Canterbury itself he was in such ill odour that his palace was once mobbed while he was in residence.

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[1] Or rather, of its Upper House. Edward, for some reason, did not exhibit this letter till the knights of shire had been paid and gone home.

[2] February 12, 1301. *Fœdera*, i. 926, 927. *Parl. Writs*, i. 102, 103. *Cf.* Rishanger, pp. 208-210; Matt. Westminster, pp. 443, 444.

His royal enemy, however, took no further action till February 1306. The capture of Wallace had now secured the complete reduction of Scotland. The leaders of the baronial opposition were dead or powerless. The place of Boniface VIII. was filled by the pliant Clement V., who as a Gascon noble was Edward's subject, and who had already been persuaded to absolve him from some of his concessions.[2] It is said that the king now gained possession of letters in which Winchelsey had, in 1297, conspired with Bohun and Bigod for the elevation of Prince Edward, and that the vials of the royal wrath were discharged on the traitor in an awful interview.[3] The evidence, however, on this subject of Winchelsey's disloyalty is but scanty. All that is certain is that, by an arrangement between king and pope, he was now cited to the papal court at Bordeaux; and that he left England disgraced and impoverished, with a peremptory instruction that he was not to return. He found little respect paid him at the curia; and would probably have been removed from Canterbury by some fictitious translation, but for the king's death in July 1307. That Woodlock of Winchester and Bek of Durham received somewhat similar treatment from the king has been taken as evidence of a real episcopal conspiracy; and some connexion with the Prince of Wales has been inferred from the rehabilitation of all three prelates on his succeeding to the throne. But it is difficult to suppose that so sagacious a statesman as Winchelsey could ever have fixed his hopes on Edward II. The latter's action seems to be sufficiently accounted for by his perversity, vanity and unconcealed hatred of his father's memory.

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[1] Walter Langton (Bishop of Lichfield, 1296) was charged by his foes with adultery, concubinage, simony, and intercourse with the devil. The pope acquitted him (*Fœdera*, i. 956, 957). The merits of these charges are unascertainable. Personal animosity induced Edward II. to amerce and imprison him in 1307. Liberated at Winchelsey's instance in 1311, he served again as treasurer in defiance of the Ordainers, till Parliament voted him 'superfluous' in 1315.

[2] By a Bull, dated Lyons, 1305. A salvo for the rights of the people existing before November 1297 is attached, and Stubbs notices that Edward only used this discreditable weapon to evade the execution of the forest articles.

[3] See Hook, *Archbishops*, Bk. III. ch. vii.

The king had appropriated to his own use the rich temporalities of Durham vacated by Bek. For Canterbury, Clement's agent, William de Testa, was allowed to act as administrator. William was also empowered to collect papal dues, and here he showed such assiduity as to recall the bad times of Henry III., and provoke a storm of opposition. Already (February 1305) the barons had broached a statute forbidding the pope to impose tallage on monastic property. In the Parliament of Carlisle (January 1307) this was formally passed; a strongly worded petition being also presented against provisions, promotion of aliens, annates, even against Peter's pence.[1] The king's sickness, or his desire to use Clement as a negotiator with France, induced him to cancel all this procedure;[1] and in the wretched reign succeeding we shall see the abuses of curial pretentions at its very worst. In 1351, however, when the great anti-papal statute of Edward III. was in contemplation, the action of this Carlisle Parliament was cited as a precedent, and its language repeated.

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[1] *Rot. Par.*, i. 207, 217-223. Matt. Westm., p. 457.

The transition from the arrogant Boniface VIII. to Clement V., a refugee in France, is one of the most dramatic episodes in the papal history, and has an important bearing on the subsequent story of our Church. So inoffensive was Boniface deemed in 1299 that Edward and Philip employed him, in his private capacity as an Italian prince, to mediate the Treaty of Montreuil. But his pontifical ambition was not satisfied with such proofs of amity and social respect. The jubilee of 1300 was made the occasion of the loftiest temporal pretentions; and the claim to Scotland came from a pope who had assumed, it was said, imperial habiliments, and the two swords typical of the complete supremacy of Rome. In 1302 the old issue with Philip was revived by the *Ausculta Fili*, rebuking him in terms of haughty patronage, and asserting 'that no layman has any power whatever over an ecclesiastic.' Next year appeared the *Unam Sanctam*, declaring St Peter's See to be the source of all temporal power, and pronouncing 'that it is necessary to salvation to believe that every human being is subject to the pontiff of Rome.' From these giddy heights Boniface was hurled in September 1305, by the brutal violence of Philip's chancellor, William of Nogaret, who had already pretended to cite him to a General Council as a heretic, usurper and simoniac. Nogaret and Sciarra Colonna suddenly invaded the palace at

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[1] *Rot. Par.*, i. 222.

Anagni, and having captured the pope, exposed him to the grossest indignities. Though rescued by the Romans, he died a month later in a paroxysm of senile insanity.

Boniface's successor, Benedict XI., reigned only long enough to launch an impotent denunciation on the perpetrators of this outrage. Philip's bribes having then secured a majority in the conclave, the Gascon, Bernard de Goth, was elevated from the Archbishopric of Bordeaux as Clement V. (June 1305). Deeming Italy unsafe, Clement fixed his court first at Bordeaux and then at Avignon. A puppet in the hands of Philip, he was shortly seen condoning the Anagni affair, revoking the obnoxious Bulls, and even tolerating aspersions on Boniface's moral character and orthodoxy. A line of six French pontiffs continued this migration. Avignon[1] remained the seat of a pretentious but usually dissolute court, whose dignity was impaired by its real subserviency to France, until the 'seventy years Captivity' was ended by the return of Gregory XI. to Rome in 1376. Thus suddenly collapsed the great fabric which had been rising ever higher since the days of Gregory VII. England's own demoralization under Edward II. obscured for a time the full significance of this humiliation of St Peter's chair. But the venality and disrepute of such popes as Clement V. and VI. and John XXII. consorted ill with the traditions of the Hildebrandine age, and matters received a new complexion in the reign succeeding. Edward III. had not long been king before the papal tribute was discontinued. His French claim led on by a natural sequence to a series of anti-papal statutes.

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[1] Clement VI. purchased Avignon from Joanna of Sicily for 80,000 florins in 1348. It remained papal property till the French Revolution.

The golden age of papalism did not pass without leaving indelible traces on the structure of the English Constitution. Winchelsey's efforts had secured the principle of taxation by consent: and the reign of Edward I. bequeathed a permanent representative organization—the inclusion of burgesses, knights, and clerical proctors in the citation to Parliament being continuous from 1295 onward. But the Edwardian Convocation, with its jealous isolation of the clergy, contrasts strikingly with the old idea of the complete unity of Church and State. In Saxon, even in Anglo-Norman times, all orders had co-operated for civic purposes, and the king himself had his place in the ecclesiastical synod. Henceforth the civil power is unrepresented in the councils of the Church, and the clergy insist that for fiscal purposes they must be regarded as a distinct caste. Boniface's doctrine of exemption had been, as we have seen, disastrously defeated. The Churchmen console themselves with the barren honour of voting taxes (often larger far than those assessed on the laity) in a purely clerical assembly. To emphasize this isolation from the laity, their proctors seldom take part in the other business of the Commons; and this practice prepares the way for the doctrine of clerical disqualification legalized in modern times. For these important topics space must be found in another part of our work.[1] It may be remarked here, however, that the Edwardian Convocation, though not the creation of Winchelsey, largely owed to him this permanent complexion, and that its combination of constitutional and Hildebrandine ideals was a fit memorial of the patriot papalist of Canterbury.

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[1] See Appendix, notes III. and IV.

CHAPTER VI

EDWARD II

IN dealing with the confused and troubled reign of Edward II., it seems best to preface the ecclesiastical story with a résumé of political events.

I. Within nine months the frivolous king had so affronted public opinion that Parliament demanded the banishment of his favourite, Piers Gaveston. This sentence proving inoperative, the precedent of 1258 was cited, the powers of the Crown being practically superseded by a Commission of Lords Ordainers (1310). Gaveston, however, with the king's connivance, still disobeyed, and this affair disturbed the country till his capture and execution in June 1312.

II. The next decade brought the disgraceful defeat at Bannockburn; the enforced displacement of the king's officials; the rule of a permanent council (August 1318); Lancaster's league against the Despensers, and their banishment by Parliament (July 1321). The king now plays off Convocation against Parliament, and appeals to arms. He wins the victory of Boroughbridge, and executes Lancaster and several barons (March 1322).

III. The obsequious Parliament of York having rescinded the Ordinances, the Despenser ascendancy is thereafter unassailed, till four more years of maladministration and disgrace prepare the way for Isabella's invasion. In the final scene (January 1327) the bishops play the leading part—the allegation being that the wretched king had not only lost Scotland, Ireland, and Gascony, but injured the cause of 'holy Church.' The charge was only too substantial. But the Church had connived at the disastrous re-establishment of the Despensers, and it is difficult to credit the treacherous episcopal junto that effected Edward II.'s deposition with higher motives than spite and sordid ambition.

The first and least discreditable of these periods coincides with the primacy of the restored Winchelsey. He returned to England broken in health and unable to resume his former conspicuous activity; but throughout the struggle of 1307-12 he was the brain and soul of the constitutionalist party, and the Commission of Ordainers was probably resorted to at his suggestion. The lords spiritual were represented here by Winchelsey and six bishops, the whole number of the Commission being twenty-one. Before this step was taken he had tried the expedient of excommunicating the contumacious Gaveston; but Clement, propitiated by Edward's deference in the Knights-Templars affair, had annulled the sentence. The last noticeable action of the statesman-primate is his renewal of the excommunication, in spite of the pope, in 1312. The execution of the wretched parasite on Blacklow Hill in June removed this phase of the national quarrel. A truce was now patched up between king and barons, on the understanding that the Ordinances held good, and for a short time there was a semblance of national unity. But the strongest check on Edward's follies was really removed by the death of Winchelsey in May 1313. His high principles were shortly contrasted with the servility and selfishness of a Walter Reynolds, the result being that a primate, always unpopular in life, was reverenced as a national hero, and a confessor in the cause of constitutionalism. In 1327 the Commons attached to their demand for judgment on the Despensers a request for papal canonization of Winchelsey. His claims were actually pressed as late as the reign of Richard II.

In December 1307 Europe had been startled by the papal mandate for the arrest of the Templars in all places. An Order that was recently the pride of Christendom was now charged, at the instance of Philip IV. and Nogaret, with odious Oriental vices, sorcery, idolatry, and rites involving a blasphemous repudiation of the Saviour. Obvious though it was to many that these charges were inspired by the avarice and malignity of Clement's custodian, the Bull was everywhere obeyed. In France there was a great parade of trials, tortures, enforced confessions and burnings, and the way was thus prepared for the formal Dissolution of the Order at the Council of Vienne in 1312.

The Templars first appear in 1118 as an aristocratic community, combining the aims of the monk and the crusader. Under papal patronage they had become a wealthy republic, with preceptories in nearly every land. They had their own fleet and an army of 15,000 soldiers, and owned allegiance only to their Grand Master and the Pope. Paris was the chief European centre of the Order; and it is significant that they had expressed strong sympathy with Boniface VIII. in his recent conflict, and were also Philip's creditors for the dowry of Isabella, Edward II.'s queen. Unlike their rivals the Knights-Hospitallers, who, after the loss of Jerusalem, settled in Cyprus and Rhodes, and long did good work as a bulwark against Mohammedan invasion, the Templars had now no reason for existence. They had moreover long been envied for their opulence, and hated for their aristocratic pride. The charge of dissoluteness is in some degree credible, for it was being raised already against Orders less exposed to temptation. But there is no reason to regard the damning counts as having even a vestige of foundation.

Our first reply to the French communications was that 'neither the king nor his prelates nor his barons' could believe the pending charges. The upshot, however, was an order for the arrest of all English, Scotch and Irish Templars at Epiphany 1308, and they were transferred to prisons in London, Lincoln, and York. In 1309 our country had the novel experience of a papal inquisition—the Abbot of Lagny and Sicard de Vaur coming here under a safe conduct from the king, who also issued a mandate to Winchelsey and two other bishops to act as assessors. Torture was used in deference to the foreigners' demands; but Edward, who was not lacking in humanity, insisted that there should be no 'mutilation or violent effusion of blood.' Winchelsey absented himself entirely, it seems, from this commission, on the score of ill-health. John Langton of Chichester and Baldock of London appear to have laboured to secure an impartial trial. The English story at least contrasts favourably with that of France, where thirty-eight knights died under examination. Despite the efforts of the low-born friars to asperse an Order which they had always regarded with peculiar jealousy, only three or four witnesses of doubtful character could be found to attest the crucial charges. The final result was that the preceptor, De la More, and some eighty knights admitted that 'they were defamed in certain particulars about which they could not clear themselves,' and were received as penitents to the mercy of the Church. In June 1311, Baldock and Langton, by Winchelsey's orders, publicly absolved them in batches in various parts of London. One or two of the accused had died in prison; a few were dismissed with pensions; the remainder were relegated to perpetual seclusion in monastic houses. Clement had ordered that their property should lapse to the Knights-Hospitallers; but it was long kept in the king's hands, and the new beneficiaries received it saddled with heavy charges.[1]

The Council of Vienne (1311-12), which consecrated these iniquities, was only attended by some three hundred prelates. Its pliancy was confined to the affair of the Templars, Philip in vain endeavouring to secure a formal condemnation of the life and tenets of Boniface VIII. Even now Clement evaded profession of belief in the guilt of the Order. He pronounced its dissolution 'not as a definite expression of opinion, . . . but by way of Apostolic provision and ordinance.' The story closes with the burning of the Grand Master du Molay and another noble victim, who, when taken out of prison, proclaimed the worthlessness of the enforced confession, owning only the guilt of succumbing through weakness, and slandering a blameless brotherhood (March 1313). Men saw in the deaths of Clement and Philip within the ensuing year a fulfilment of du Molay's citation of his persecutors before a more righteous Judge.

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[1] The celebrated Templar stronghold in London was subsequently leased by the Hospitallers to the men of law. It lapsed to the Crown at the dissolution of the monasteries. In 1609 James I. made it over in perpetuity to the two famous Inns of Court.

Winchelsey's papalism must have been of robust fibre if it survived his experiences of Clement V. Deriding the recent Parliamentary protest as one of 'laymen glorying in their malice, potent in their iniquity,' the pope consoled himself for his restraint under Philip by renewed aggressions in disordered England. Edward II. was completely indifferent to the indignity, and was content to higgle with Avignon for the elevation of his favourites. In 1313 the monk of Malmesbury thus describes our plight: 'For eight years Pope Clement has ruled the universal Church, but what good he has done escapes memory. England alone of all countries feels the burden of papal domination. . . . He reserves all the fat benefices for himself, and excommunicates all who resist him. His legates come and spoil the land: those armed with his Bulls come and demand prebends. He has given all the deaneries to foreigners, and cut down the number of resident canons. Why does the pope exercise greater authority over the clergy than the emperor over the laity? . . . Lord Jesus take away the pope, or lessen the power which he presumes to have over the people!'

Some respite may have been brought by the scandalous vacation of twenty-seven months that succeeded Clement's death. But Avignon strengthened its grip under John XXII., a canon lawyer who had rendered Philip invaluable services against Boniface and the Templars, and who was conspicuous for malappointments to the conclave and shameless traffic in bishoprics.[1] John's accession, however, was marked by an insidious manifesto against tenure of pluralities. His Bull *Execrabilis* (1317) demanded that the clerical pluralist should resign all his benefices but one, on pain of losing all. Pluralism was undoubtedly a great evil, but John's legislation was not counted to him for righteousness; for the voided benefices were to be filled not by their lawful patron but by the pope. In 1318 some fifty English livings thus vacated were provided for by John, doubtless with much profit to his coffers. The bishops complained that many, presumably the worthless, livings were left untenanted.

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[1] See Milman, Bk. XII. ch. vi.

We notice that in the present period of papal decadence there passed away the old idea of the indissoluble connexion of a bishop with his see. The ancient canons had regarded the translation of a bishop as a grave irregularity and a kind of spiritual divorce; and though it had doubtless long been easy to secure papal sanction for its infringement, this rule still nominally obtained. But by the Avignon popes translation was directly encouraged for the sake of the pecuniary accessories. Clement's translation of Walter Reynolds, in deference to Edward's lavish douceurs, roughly marks the extinction of a theory which William I. had made good use of against the Saxon primate Stigand.[1] Since Stigand's time, only three primates (Ralph, Baldwin, and Hubert) had been raised by process of translation. On the other hand, of the thirteen primates of our period after Reynolds, only three had not been previously bishops: five had held two sees before attaining to Canterbury, one (John Kemp, 1452) had held four. However defensible under altered conditions now, this practice of translation acted as a stimulus to worldly ambitions, and its prevalence seriously augmented the corruptions of the mediæval Church. Henry IV., says Gascoigne, once asked Archbishop Bowet why bishops were no longer translated corporeally, on account of famous posthumous miracles. 'Holy bishops of old,' said a clerk there present, 'reflected on the responsibility of their duties, and did not desire translation from bishopric to bishopric, for the sake of greater wealth. Now they are translated from bishopric to bishopric in their lives, and so do not deserve to be translated by the evidence of miracles after their deaths.'

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[1] Stigand, however, incurred the guilt of a double translation. In this, Poore of Sarum was perhaps his only imitator till the present period. On the other hand, Orleton successively held Hereford, Worcester and Winchester, securing the two latter by provisions from Avignon, in defiance of the Crown, in 1327 and 1333.

Our political résumé sufficiently interprets the drift of the Church under Winchelsey's successor. Walter Reynolds of Worcester had been one of our representatives at Vienne, and his appointment by papal provision overrode the chapter's selection of the learned Thomes Cobham. Though of obscure birth and scanty education, Edward I. had employed him as his son's tutor, but given him no preferment. He is described as a 'son of Belial,' 'a man of infernal avarice,' 'so illiterate that he could not spell his name aright.' A talent for theatricals is mentioned as attaching the favours of the present king. Besides his bishopric, he received the great seal in 1310, but he did so much mischief as chancellor in the Gaveston imbroglio that the Lords Ordainers only allowed him the title lord-keeper, under three nominees of their own. He similarly abetted Edward's partiality for the Despensers, and by proclaiming in 1321 that their condemnation by Parliament was illegal, and linking the Church's cause with theirs, he was largely responsible for the maladministration of 1322-26. Yet when the cause of Isabella triumphed, Reynolds basely forsook the author of his fortunes. He welcomed the elevation of the young Edward with a discourse on the words 'Vox populi vox Dei,' and died shortly afterwards, universally despised.

We have entered on a period of terrible demoralization in the episcopate. Honourable exceptions are the saintly D'Alderby of Lincoln (1300-19), and Segrave of London (1303-16), the special object of Reynolds' detestation. Melton of York (1317-41) 'by God's grace kept his purity untarnished' while waiting two years at Avignon for consecration, and afterwards led a gallant but ineffective resistance to the Scots in the 'white battle' of Myton. Stapledon (1308-26), too, besides his lavish expenditure on his cathedral, deserves recognition for the liberal support of learning still attested by Exeter College, Oxford. But the example of Avignon had deeply infected England; and the episcopal chairs had several incompetent occupants, some notoriously elevated by dint of bribery and base intrigues. Worcester was given, after Reynolds' promotion, to Walter of Maidstone, a man of notoriously dissolute life. The great bishopric of Lincoln was secured by Henry Burgesch, an ill-educated nephew of the trimming Lord Badlesmere, at the age of twenty-four (1320). Large outlay at Avignon in 1318 inflicted on Durham Lewis de Beaumont, a crippled relation of the queen, who could not read the Latin formula required at his consecration. John Stratford had ample intellectual qualifications; but his perfidies in the present reign are hardly condoned by his subsequent services as primate and chancellor under Edward III. Stratford had been sent along with Asser, Bishop of Winchester, to maintain Edward's Scotch claims at Avignon. Asser died there. Ignoring his master's appointment of Archdeacon Baldock, Stratford negotiated with John XXII. on his own behalf, and returned consecrated to Winchester (1323). Royal sequestration was the merited penalty. Reynolds, however, secured his pardon next year on condition of his signing a £10,000 recognizance for good behaviour, and in 1325 the misguided king sent him as envoy to France. Here Stratford intrigued with Isabella, with whom he was shortly seen co-operating to secure Edward's deposition. It may be added that the Winchester precedent was closely followed by Ayermin, Stratford's fellow-envoy in 1325. He secured Norwich from the pope by favour of Isabella, again to the prejudice of Baldock, the elect of king and chapter.

But the most important factor in the story of the revolution was Adam Orleton. Whatever his sins, Orleton was, at least, not chargeable with abuse of Edward's confidence. In 1318 he attained the bishopric of Hereford, against the king's wishes, through the influence of the Mortimers at Avignon. His patrons fought along with Lancaster at Boroughbridge and incurred imprisonment, and Orleton was in the Parliament of 1323 charged with appearing on their side in arms. Edward, with his usual unwisdom, ignoring his privileges as peer and bishop, cited him to his court at Westminster —thus inducing the prelates to rally to his side. A *coup de théâtre* was arranged. Orleton appeared, but his brethren (Canterbury, York, Armagh, and many suffragans) invaded the court in full pontificals, threatened the judges with excommunication, and brought him back in triumph to his inn. Edward thereupon had the truth of the charge submitted to a lay council, and this having declared it proven, proscribed Orleton and sequestrated his estates. A reconciliation was shortly afterwards patched up by Reynolds, but the citation rankled deep in the breasts of the clergy as an outrage to the *privilegium fori.* It goes some way to explain their wholesale disloyalty in 1326.

Orleton's hand may be traced throughout the story of Mortimer's escape and Isabella's scheme for joining him in France. He was the first bishop to openly join the invaders. He accompanied their march westward, and his Oxford sermon from the text 'My head, my head,' was the earliest presage that the deposition of the fatuous sovereign was their design. The only clerical sufferers in Edward's cause were Bishop Stapledon, his treasurer, and Archdeacon Baldock, his chancellor. The former was mobbed and murdered 'hard by the cross at Chepe.' Baldock, relegated after Edward's capture at Neath to Orleton's care, received such injuries before reaching Newgate that he shortly died. An assembly at Bristol, including several prelates, had already proclaimed the young Edward guardian. The climax was the disorderly Westminster Parliament (January 1327), in which only three bishops found courage to abet Melton's protest against the wretched sovereign's supersession. It was Orleton who, assuming the part of chancellor, led the deliberations, and put the question whether England should be ruled by Edward II. or his son. It was Stratford who drew up the reasons for the dethronement—among them being included the charge that the king 'had destroyed holy Church and the persons of holy Church, putting some in prison and others in distress.' The two conveyed the invitation to Edward to attend the Parliament. Bishop Burgesch was included with them in the mixed deputation that received his resignation at Kenilworth. Orleton was its spokesman. There appears to be no warrant for the story of his suggesting Edward's murder.[1] But he was far deeper in the counsels of Mortimer than his fellow-conspirator, whom he shortly regarded with jealousy and hatred.

The reign of John XXII. was marked by a great quarrel with the Emperor, and by a dissolution of the once close alliance between the Papacy and the Franciscans. The doctrine of Evangelical Poverty, pushed to an extreme by Oliva and other sectaries, had produced martyrs and confessors under Clement V. John, readily applying the axe to the root of the evil, revoked the Bull of Nicholas IV. identifying perfect Christianity with abdication of property and recognizing Christ and His Apostles as themselves mendicants. Dominican jealousy of the rival Order strengthened his hands, and the University of Paris was persuaded to pronounce sentence against the fundamental doctrine of St Francis. The result was that a large section of the Minorites girded everywhere against the opulence and worldliness of the Holy See, and proclaimed its identity with the Babylon of the Apocalypse.[2] Our great Schoolman Occam entered the lists, and was arraigned, along with the Franciscan general Michael de Cesena, for declaring the abrogation of Nicholas' Bull heretical (1328). The two escaped from Avignon, found refuge at the court of John's foe, the Emperor Lewis, and enlisted in the service of the antipope. Occam's pen was thenceforth engaged exposing the fallibility of the Papacy, and the worthlessness of its time-honoured temporal pretensions. A yet deeper note had been already struck by Marsilio's satirical *Defensor Pacis.* The equality of all the Apostles, the original identity of bishop and presbyter, the uncertainty that Peter was ever Bishop of Rome, the possibility of the Church thriving without an earthly head—these were the subjects of an investigation almost anticipatory of Wycliffe.

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[1] Being consulted on the subject, he is said to have answered in the ambiguous line, 'Edwardum occidere nolite timere bonum est.' See Twysden, *Decem Scriptores*.

[2] The loyalty of the English Franciscans must have been sufficiently strained by Boniface VIII.'s crafty utilization of their founder's precepts. They had agreed to deposit 40,000 ducats with certain bankers, as the price of a papal permission to hold land. Boniface discovered that land and money were alike unallowable to the disciples of St Francis. Absolving the bankers from their obligations, he appropriated the deposit.

In England there was much to give peculiar force to these new influences. The reign is commonly connected with the richest type of Decorated Gothic architecture; and our cathedrals and abbeys show that of care for the consecrated fabrics there was no lack.[1] Viewed, however, in the social aspect, ecclesiastical life presents a picture of dissensions and intrigues, seldom relieved by any form of wholesome spiritual energy; and to this period may be traced the seeds of that anti-clerical sentiment which eventually blossomed into Lollardry. The pope was even more contemned in England than abroad. The bishops had largely shown themselves unworthy of their spiritual calling, and the public conscience was now confronted with such results of clerical statesmanship as the rule of an adulterous queen and the murder of the wretched Edward. Its own growing demoralization [2] had sapped the religious influence of monasticism, and with the lower orders the monks were specially unpopular as rigid conservators of antiquated feudal obligations. It is not surprising that while prelates and barons conspired against the crown, insubordination was rampant in humbler social strata. Thus in the month of the king's deposition the great Benedictine house at Bury was invaded by a mob, who carried off its title-deeds, and compelled the abbot to sign a charter of liberties and deed of pardon. When the outrage was avenged six months afterwards, some thirty secular clergy were found to have been implicated. The no less venerable house of St Albans stood a protracted siege at the hands of the townsmen, who demanded rights of election of Parliamentary burgesses, rights of jury for pleas before the justices, and rights of assize of bread and beer. The claims here were by no means all innovations, and the arbitrators eventually appointed by Edward III. decided in the main against the monks. At Canterbury public indignation was roused by the refusal of Christ Church to contribute its quota to the Scotch enterprise of 1327. Here the plea of frankalmoign was answered by the indignant citizens with a 'boycott' of the monks, who had at last to find protection in a royal writ of exemption. A pleasing contrast to such illustrations of monastic selfishness and incivism was offered at Gloucester, where, after the horrible death of Edward at Berkeley Castle (September 21, 1327), Abbot Thokey braved the wrath of Isabella, and interred the corpse with royal honours. Gloucester Abbey had its reward after the fall of the usurpers, when the tide of opinion turned and the wretched sovereign was regarded almost as a saint. The exquisite tomb erected by the piety or remorse of Edward III. became a popular place of pilgrimage. The vast increase of revenue enabled Thokey's successor to effect his reconstruction of the choir and transepts, and introduce to England the first example of Perpendicular Gothic.

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[1] *E.g.*, the unfortunate Bishop Stapledon provided vaulting and other work in the choir of Exeter: Lichfield owes its Lady Chapel to the munificence of Walter de Langton: the lantern of Ely, the Lady Chapel of St Albans, the choir of Bristol, the south aisle of Gloucester, the south transept of Chichester, all date from this reign.

[2] See Appendix, note V.

CHAPTER VII

EDWARD III

THE court of Avignon was now reaping much advantage from England's disorders. John XXII. had so pushed the familiar encroachments that at Salisbury in 1326 the dean, precentor, two archdeacons and twenty-three prebendaries were all papal nominees, besides eight others with credentials for vacant prebends. The alleged right of Provision was extended where possible to bishoprics and even to the primacy itself. On the death of Archbishop Reynolds some concordat was probably effected with the Pope by Isabella and Mortimer, who had now superseded the standing council and usurped royal authority. That in neither quarter was a statesman-prelate desired perhaps accounts for the elevation of Simon Meopham, a pious, scholarly man, detached from political affairs, and one of the best prelates of the reign. Meopham did his best to raise the wretchedly low ideas of episcopal responsibility. Convening a synod at St Paul's, he impressed on his suffragans their duty to 'root out all hurtful vices and reform manners, so that evil appetites may not exceed the bounds of honesty.' He fined Haymo of Rochester for his neglect of the duties of preaching and confirming. He even pressed the old claim of visitatorial right against the powerful and really exemplary Grandisson of Exeter, formerly John XXII.'s ambassador to England,

and recently appointed by him to Exeter.[1] Here, however, Meopham was foiled by the interposition of the government. A dispute with nearer neighbours had a curious sequel. The monks of St Augustine, when required to justify their claims to certain benefices, refused information and appealed from the primate to the pope. An arbitrator was appointed. A deputation of monks came with his citation to Meopham's Surrey manor while he was ill in bed, and were roughly ejected by the servants. The monks flew to John XXII. with the story, and our primate was forthwith excommunicated. Perhaps nothing better attests the decline of papal prestige than the fact that for two and a half years after this he continued his official duties unperturbed. The only effect was that, when he died in 1333, the Christ Church chapter insisted that the Abbot of St Augustine should absolve the corpse, before its interment in the cathedral.

Stratford, Meopham's successor, proved an honest statesman-primate despite his antecedents, but did little for the spiritual welfare of the Church. As a leader in the revolution, Stratford had been made one of the twelve guardians of the young king in 1327. Incurring, shortly, the enmity of Mortimer and his unscrupulous treasurer Orleton, he found himself harassed for his liability of 10,000 pounds to the Crown; and was compelled to fly from Winchester. From a hiding-place in the New Forest he communicated with Edward, and his counsels probably facilitated the overthrow of Mortimer in 1330. Edward, when freed from thraldom, at once remitted the debt and made Stratford his chancellor, and for the next ten years he was the guiding spirit of the administration. His translation to Canterbury was postulated in 1333. John XXII. consented; but declared he promoted Stratford 'spontaneously, not in deference to any powers of the Canterbury chapter.'

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[1] The usurpers allowed the pope to override the capitular election of Godley, Dean of Wells, to this bishopric.

In Stratford's temporary disgrace (1340-41) we see the first expression of that dislike of clerical statesmanship which was to cause so much turmoil a generation later. The campaigns that followed Edward's claim to the crown of France in 1337 were costly and inglorious; and he returned suddenly, to vent his spleen on his ministers for an alleged miscarriage of supplies (November 30, 1340). Stratford was now president of the council; his brother Robert, Bishop of Chichester, had recently succeeded him as chancellor; the treasurer was Roger Northburgh, Bishop of Lichfield. Robert and Roger were arrested, along with certain judges and prominent merchants. The great offices were given to two knights, and Edward, besides inveighing against the whole clerical order as unfit for public business, encouraged or instigated the 'Libellus famosus.'[1] The primate himself was here charged with suggesting the war for selfish ends, and with misappropriating the national supplies. He was even menaced with arrest for Edward's indebtedness to the merchants of Louvain. Stratford, when this storm broke, took refuge in the Christ Church priory, and ludicrously posing as a second Becket, launched excommunications on his enemies at court. With greater wisdom he issued a few weeks later a temperate and effective answer, and proclaimed his right to defend himself in the House of Lords.[2]

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[1] Possibly the work of Stratford's ancient enemy Orleton.

[2] This appeal to constitutional privileges won the lay lords to Stratford's side, and a consequence of his persecution was the important statutory assertion of the principle of trial by peers (April 1341). It was carried in the teeth of protests from the new ministers and judges.

Edward thought it prudent to evade this test, by 'admitting him to his grace' without a trial, and recalling him to the council. A little later he was fully and formally exculpated. The experiment in lay administration nevertheless survived for four years—Sir Robert Bourchier, the first layman-chancellor in our history, being succeeded by Parnyng and Sadyngton. But throughout it was unsatisfactory, and when the general protests against Sadyngton's mismanagement necessitated his supersession, the great seal passed to Dean de Ufford. No serious complaints against the ancient system were heard for another quarter of a century.

The year 1346, memorable for our two great victories of Crecy and Neville's Cross, brought also the first distinct procedure against the papal encroachments. Three years earlier, a petition on the subject had been framed in the name of the laity—'earls, barons, knights, citizens, etc.'—without mention of bishops or clergy. It was now actually resolved by the Council, not only that the alien monks should be expelled and the benefices in foreign hands be forfeited, but that no one should send money 'to any foreign bishop,' or introduce letters or Bulls from the papal court, unsanctioned by the chancellor and warden of the cinque ports. Next year the Commons complained that these practices were quite unchecked, and prayed that penalties might be provided by Statute. The protest was renewed in 1351—the result then being the famous Statute of Provisors.

The non-participation of the Churchmen may perhaps be ascribed as yet mainly to dread of spiritual penalties. They, beyond other men, were the victims of the aggressions, and the old papalism of Grosseteste and Winchelsey had now succumbed to experiences of a curia seated in a hostile land. Stratford, whatever his faults, will hardly be taxed with Hildebrandine tendencies. To Stratford's secret machinations indeed Pope Clement VI. ascribed the lay disloyalty. He uttered threats of 'humbling his pride' in the presence of our envoy to Avignon.

Stratford died in August 1348. In the winter came the Black Death, and its awful ravages continued for at least two years. One of the earliest victims was De Ufford, the primate elect. In his stead Edward chose Thomas Bradwardine, the profound theologian, whose *De Causa Dei* was long reverenced as a bulwark of Augustinianism. Clement VI., in his petulant resentment of our independence, had said that 'if the English king should ask to have an ass consecrated he could not say him nay,' and at Bradwardine's consecration banquet some parasitical cardinal introduced an ass petitioning to be made a bishop. Bradwardine, however, shared De Ufford's fate within six weeks of his return. Edward now selected Simon Islip, the keeper of the privy seal. Avignon bluff was expressed by Clement's pretending to appoint him 'by apostolic provision, . . . despising the election of him already made,' and Islip was consecrated. His long primacy (1349-66), despite his unfortunate regulation of clerical salaries, noticed below, was a distinct improvement on the secularised Stratford's. If Islip stood aloof from the antipapal campaign he found courage to assail the wicked extravagance and cupidity of Edward III. with startling vigour in the *Speculum Regis*.[1] His care for the

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[1] Islip's spirited remonstrance probably induced the action of the Commons which resulted in the Statute of 1362 removing the worst abuses of 'purveyance.'

Church was evidenced by Constitutions rebuking the now prevalent desecration of Sunday and the abuse of privilege of clergy. In 1253 he effected with de Thoresby of York an amicable settlement of the longstanding inter-primatial dispute. He also founded at his own cost Canterbury Hall, now absorbed in Christ Church, Oxford.

The fearful havoc the Black Death inflicted on the clergy and religious Orders is sufficiently attested by our registers, court rolls and chronicles. Unnatural and insanitary conditions of life doubtless offered the monks as a specially easy prey, and few houses of Regulars were spared. Some were quite depopulated and became extinct, or were absorbed in other societies.[1] The parochial clergy appear to have died pursuing their labours among the stricken with a fearless zeal worthy of a better age. Dr Jessopp's account of the mortality in East Anglia, terrible though it is, might perhaps be matched from other parts of England, and we are told that during the year 1350 'considerably more than two-thirds of the benefices of the Norwich diocese were vacated.' 'In a single year upwards of 800 parishes lost their parsons, eighty-three of them twice, and ten of them three times in a few months.'[2] To provide ministrations, deacons were allowed by the bishops to do the work of priests. To secure ordinands, the standard of age and competency was lowered, and many parishes were still left without pastoral care. The visitation prompted the trend of future pious munificence to the establishment of colleges for the rearing of youths destined to parochial charge. Canterbury Hall was for Regulars and Seculars combined; but some Cambridge colleges founded at this time aimed directly at meeting the Church's crying need. The climax of this educational activity was the establishment of graded foundations by the munificent Wykeham, who, in New College and Winchester (1380-95), gave Oxford her first well-endowed and well-housed College, and England the first of her public schools.

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[1] The Augustinian canons at Heveringland all died; at Hickling only one inmate survived; at Meaux only ten out of fifty; at St Albans the abbot and forty-seven inmates died, besides many scattered in the cells.

[2] *Coming of the Friars*, pp. 205, 215.

Another result of the Black Death was a demand on the part of the lower clergy for an increase of fees and salaries, proportionate to the rise in general prices. The claim was not unreasonable, for the price of labour and the cost of commodities were doubled by the plague. Ignorance of economical laws, however, dominated the situation alike in Church and State, and the Statute of Labourers had its counterpart in Islip's attempt to limit the receipts of mass-priests to five marks a year, increased to six in the case of those who took parochial charge. Confounding cause and effect, Islip actually attributes the rise in general prices to the dissatisfied clergy, who 'are not ashamed that lay workmen make their covetousness an example to themselves.' That many vicars, ill-paid before, supplemented their earnings, as Piers Plowman says, by seeking 'leve at London to dwell and singen there for symonye' is credible enough, the choice being between 'symonye' and starvation. Some, says Walsingham, were driven by Islip's inconsiderate ukases to steal. The rise in the price of clerical labour was, of course, at last maintained. Under Henry V. the lowest payment of the mass-priests apparently was eight marks.

The spectacle of the pope endowing with England's benefices his own friends in hostile France was intolerably galling in such a time of misery. The long-gathering indignation at last expressed itself in the great Statute of Provisors (February 1351). Celebrated as is this ægis against papal aggression, it must be admitted that it presents a singular account of the responsibilities of church patronage. The preamble claims for our sovereigns an ancient right to advance to any benefices 'the greatest part of their council for the safeguard of the realm when they had need.' 'But,' it continues, 'the bishop of Rome accroaches to him the seignories of such benefices, in favour of aliens who never dwell in England, and cardinals who may not dwell here.' It is therefore enacted that 'the free elections of all archbishops, bishops, and all other dignities elective shall be as of yore—on the condition to seek a *congé d'élire*, and after election to have royal assent and no other way.' All preferments, too, to which the pope shall nominate by provision are to be forfeited for that turn to the Crown: and all who, by virtue of papal provision, shall disturb the nominees of lawful patrons are to be arrested and brought to trial.[1]

This protective measure was shortly followed (1353) by the equally famous Statute of Præmunire, curbing the practice of appealing to the papal courts. 'Divers of the people,' it is said, 'have been drawn out of the realm, to answer to things whereof the cognizance pertaineth to the king's court,' and its judgments 'are impeached in another court to prejudice and disinherison of our lord the king.' Offenders in this matter are to be arraigned before the king or his justices. On failure of appearance they are liable to imprisonment and forfeiture of property.[1]

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[1] *Statutes*, i. 216. *Rot. Parl.* ii. 228.

In 1365 both these statutes were re-enacted in more stringent form. Throughout this anti-papal legislation the lords spiritual had persistently stood aloof. Their peculiar liability to papal reprisals might perhaps still sufficiently explain their attitude in the case of the Provisors. But in the Præmunire Statute they doubtless discerned a danger to other spiritual courts besides the pope's, and latterly both seem to have been regarded as inimical to the general clerical interest. Against the Provisors Act of 1365 the lords spiritual recorded a caveat that they 'assented to nothing that could be turned to the prejudice of their own estate or dignity.'[2]

The Statute of Provisors was repeatedly confirmed. Nevertheless, the popes succeeded often enough in appointing—both to bishoprics and minor benefices. The efficacy of all this legislation depended on the king. The large assertion of the Crown's rights did not necessarily entail loyalty to the statute on its wearer's part. We shall see hereafter that Henry V., after the Council of Constance, habitually allowed the bishoprics to be filled by papal provision, his concessions being doubtless prompted by his deep religious convictions. More usually the infringement was connected with political exigencies, which suggested large deference to the Papacy and its pretentions. How rife this connivance was in the case of minor patronage, at the close of Edward III.'s reign, will be seen in the gravamen of the Good Parliament of 1376.

In fairness to the Papacy it must be added, that though the bishops were never again of such low type as in the last reign, our statutory emancipation did not necessarily imply any improvement in *personnel.* There is weight in Canon Capes' remark that more obviously than heretofore 'the road to a bishopric lay through political service or court favour, to the neglect . . . of the unobtrusive worth and piety which a conscientious pope might have discovered and rewarded.' One undeniable gain, however, may be attributed to the Statute of Provisors, viz., the disappearance henceforth of foreigners from the diocesan chairs. At the close of Edward III.'s reign we cannot find a single bishop who bears a foreign name.

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[1] *Statutes*, i. 329.

[2] See further, Appendix, note IV.

With what mixed motives Edward was inspired was manifested in 1351 by his pressing the doctrine of the Bull *Execrabilis*, with the variation that the pluralist's benefices were to lapse, not to the pope, but to the king. So strained was this affected deference to canon law as to provoke a clerical petition that no civil court should take cognizance of *de jure* voidance of benefices, without inquiry on the part of the Ordinary. The pretence was indeed but short-lived; and here the Church benefited nothing by the change of masters. Edward soon enabled his favourite William of Wykeham, to accumulate a pile of benefices, even before he was in holy orders, and after 1370 a papal alliance brought similar remuneration to the ex-primate Langham. The abuse of pluralities was in fact stimulated pretty equally by popes and kings. We shall see it as rife as ever in the fifteenth century, after Martin V.'s rehabilitation of the Papacy.

It need hardly be added that the constitutional principle was in no way advanced by this celebrated statute. It raised against exorbitant papal pretention an equally exorbitant theory of royal prerogative, and left episcopal and capitular electors to steer their course between Scylla and Charybdis. The general result was that they allowed their ancient rights to fall into abeyance. Henceforward the chapters accommodate themselves to the position that the diocesan is a nominee of the Crown. The *congé d'élire* becomes a mere fiction.[1]

The Holy See was, of course, much exercised by the progress of the emancipatory measures. Clement VI. had flouted Edward III.'s rather short-sighted request for the elevation of an Englishman to the conclave. Twelve new cardinals were created who were all Frenchmen. The Avignon Court lost much of its dissolute character under Innocent VI. He was succeeded in 1362 by a drastic reformer in the person of Urban V., a Benedictine abbot of the best type, who at one time seemed to have restored St Peter's chair to Rome.[2] To conscientious conviction may be attributed this pope's celebrated challenge of England's new-born independence. Our tribute of 1000 marks had been paid irregularly till 1333 and since suspended. Urban, in 1366, wrote to Edward III. demanding a discharge of the arrears in full. Another outburst of anti-papal feeling was the immediate result: and for once the prelates were seen heartily co-operating with the laymen. The lords spiritual first conferred apart. They then joined with the other peers in a unanimous declaration that neither John nor any other king had power to inflict this thraldom on a people without its consent. The Commons spoke in the same sense. The three Estates then conjointly voted that all papal processes to enforce the tribute should be resisted by the king and nation. Edward, to further mark his sense of the impertinence, prohibited even the payment of Peter's-pence, and for the rest of the reign this offering was discontinued.

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[1] The bishops' claim to concur in the election of their primate had been already invalidated by the decision of Innocent III., see p. 59.

[2] He occupied Rome with a few cardinals from May 1367 to September 1370, and crowned Charles IV.'s empress there.

The necessity of 'confirmation' in the matter of episcopal appointments was a particularly serviceable weapon for an affronted pope. Urban avenged himself in 1367 by refusing to confirm Edward's collation of Wykeham to Winchester. He sent a Bull claiming to have reserved the see, and only recognised the royal nominee as administrator of its temporalities. Despite the recent statutes, Edward is said to have been reduced to urgent entreaties, and when the pope gave way, a 'Bull of provision by way of reservation' was sent in Wykeham's favour. Wykeham had hitherto been conspicuous as a warden of castles and keeper of the privy seal, extravagantly remunerated at the expense of the Church.[1] He was to emerge as the type *par excellence* of the learned and munificent statesman-prelate, and he justified his elevation not only by his two great educational foundations, but by the great works at Winchester Cathedral carried on to the last year of his long episcopate (1404). Under Edward III., however, Wykeham's significance is mainly political. He held the great seal from 1367 to 1371, and he will shortly re-appear, in connexion with the attacks on the clerical statesmen fomented by John Wycliffe.[2]

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[1] He held before his consecration the archdeaconry of Buckingham, the Provostship of Wells, twelve prebends or canonries, and several ivings. Godwin, p. 286.

[2] Wykeham's political activity was not marked after 1377, though he held the great seal again in 1389–91. It may be noticed that the reigns at Winchester of the four successive bishops, Edington, Wykeham, Beaufort, Waynflete cover 141 years. Each of these prelates held for a time the chancellorship.

The career of Islip's successor, Simon Langham, primate from 1366 to 1368, is very singular. Though heir to a large patrimony, he became a Benedictine monk at Westminster. He rose to the abbacy, devoted his wealth to the completion of the cloister, and was so famed as an administrator that Edward made him treasurer and Bishop of Ely. Receiving the great seal in 1363, he two years later heard Edward's speech on Avignon aggressions, and presided when the anti-papal statutes received their final shape.[1] He was promoted to Canterbury, after spontaneously renouncing all expressions in the Bull of confirmation that could be construed to the prejudice of the Crown. Yet within two years cloister training had prevailed, and our statesman-primate had migrated to France. In September 1368, Archbishop Simon suddenly informed the king that the pope had made him a cardinal. Under Urban V. this office was no mere titular honour, but involved residence at Avignon. By the common law its acceptance voided the archbishopric. Edward visited his indignation on the renegade by seizing the temporalities and reducing him to pecuniary straits, before ceding permission to leave England. Urban's death, however, in 1370, effected something more than a reconciliation of this quarrel. The ex-primate was now enlisted as a serviceable mediator at the court of Gregory XI., and despite the recent legislation, pope and king co-operated in rewarding him with large English preferments. The 'Cardinal of Canterbury' held simultaneously a prebend at York, the deanery of of Lincoln, the archdeaconry and treasurership of Wells. English interests, we may add, were really benefited by this divided service, and when Langham died in 1376, he was wearied of his expatriation and contemplating a permanent return. By his will he had made Westminster Abbey the heir of his great wealth.

Langham's short reign involved a collision with a John Wycliffe of Canterbury Hall, rector of Mayfield. This person is probably not to be identified with the great Reformer,[1] but the story is interesting as illustrating the ever raging hostility between Oxford's Seculars and Regulars. Islip had founded Canterbury Hall as a mixed college, fondly hoping to blend secular clerks and Benedictine monks in one harmonious society. Disputes, of course, arose, and the secular contingent, with Islip's consent, deposed the first warden, who was a monk, and substituted John Wycliffe. The monks said this was done in the late primate's dotage, and, appealing to Archbishop Langham, secured Wycliffe's dethronement. Wycliffe appealed to the pope. Not only did he lose his case, but Urban ruled that the Hall was to be henceforth an exclusively monastic seminary supplied from Christ Church, Canterbury. Whatever the merits of Wycliffe's case as warden, it was an iniquitous diversion of Islip's benefaction,[2] and it is significant that both Langham and Urban belonged to the befriended Order.

William Whittlesey, primate from 1368 to 1374, is only interesting in connexion with our universities. The weakest primate of our period, he is also the only one of Cambridge rearing before Cranmer, having passed from the Mastership of Peterhouse to the bishopric of Rochester. The sister university, however, had no reason to grudge his elevation, for he obtained from Urban V. a Bull empowering her to elect her chancellor without reference to her diocesan at Lincoln—thus ending a long standing controversy, and securing for her permanent self-government. From playing any active part in public affairs Whittlesey was debarred, alike by failing health and constitutional timidity.

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[1] See Shirley's *Fasciculi Zizaniorum*, and Rashdall, *Nat. Biogr. s.v.*

[2] The original statutes substantially contemplate a secular foundation based on the rule of Merton, his old college.

The times were indeed menacing to the whole race of statesmen-prelates. Our renewed campaigns in France had brought disaster and discontent, and the story of Stratford was now to be closely repeated in the case of Wykeham. Since Stratford's days there had been a great advance of thought, and the appetite for free criticism had doubtless been whetted by our successes in the papal conflict. It was an easy transition to strictures on the secularized hierarchy at home. The bishops' monopoly in the chief offices of State was resented by ambitious laymen. Pious consciences were affronted by their diversion from spiritual duties, their pomp and wealth, and the wide deviation from the scriptural conception of an episcopate. Wycliffe, though not yet revolting from Church dogmas, was assessing the prevalent system by this standard, and had assailed the ecclesiastical possessioners in the *De Dominio.* To Wycliffe and his religious work some pages will be devoted hereafter. At present he must be dealt with only as a catspaw of John of Gaunt, Duke of Lancaster, in the tangled story of political dissensions with which the reign closes.

The predominance of the ambitious duke is really not marked till 1373, he being engaged as yet as our commander in Gascony. Pembroke, Edward's intended son-in-law, acted, however, probably in concert with him in initiating the great assault of February 1371. Earls, barons, and commons were now persuaded to petition the Crown for the supersession of the 'men of Holy Church by sufficient and able laymen.' The Stratford affair may perhaps be read into the pretext: 'They can in no case be brought to account for their acts, whereby great mischief has happened in times past and may happen in time to come.' But the issues of 1340 had now assumed a far more revolutionary complexion. Pembroke himself menaced Convocation with a thinly veiled threat that all Church property might be confiscated, and devoted to purposes of State.[1]

As a result, Wykeham and Brantingham were ejected, and for the next five years the great offices were in the hands of laymen. But again the experiment failed. The story of these years is one of reverses abroad and unprecedented administrative corruption at home, and Lancaster's humiliating armistice with France in June 1375, was not more resented than the concordat he effected with the pope. The old grievances of 'reservations' and obtrusions of foreigners had been put by Lancaster in the hands of a commission, which negotiated with the papal envoys at Bruges. It might almost seem that the Papacy was here deliberately played off against his clerical enemies at home. Despite its inclusion of Wycliffe, who had recently produced his tract against the papal tribute, this commission secured nothing but a promise that Gregory XI. would himself make no more reservations.[1] The many aliens enjoying English benefices were all shielded. Worse still, Lancaster's nominees permitted the levy of a papal tax of 100,000 florins from the clergy. By agreement with Gregory, Simon Sudbury, a man of Avignon training, who had sat on this commission, was translated from London to the vacant primacy.[2] He proceeded this winter to enforce the tax by threats of excommunications.

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[1] To provide war-funds this Parliament put an assessment on certain small livings hitherto exempt. Its financial budget is celebrated as evidencing the untrustworthiness of mediæval statistics. It was framed on the assumption that there were 40,000 parishes. There were really only some 9000, and the discovery necessitated a tax of 116s. instead of 22s. 3d. *Rot. Parl.*, ii. 304.

The reactionary ecclesiastical policy crowned the grievance of gross secular maladministration. For two and a half years Lancaster's unprincipled clique had ruled without a Parliament, defrauding the customs, cornering the king's depreciated liabilities, and 'setting prices at their pleasure.' When an empty exchequer necessitated an appeal to the country, the returns brought together a Commons determined to secure redress. The Black Prince, though dying, lent his aid against his brother; and by July 1376 the 'Good Parliament' had achieved such satisfactory results as the ignominious dismissal of Lords Latimer, Neville and Stafford, the fining and imprisonment of their fraudulent confederates, and the removal of Lancaster's creature, Alice Perrers, from the doting king.

It concerns us to notice more particularly the gravamen of this Parliament, styled 'a bill against the pope and cardinals.' Along with the old grievance of drainage of treasure to hostile France through the medium of the Church, there is here an unusual appreciation of the damage to religious interests. The petition deals with the great taxes paid to the pope on vacation of benefices and for translations; the promotion to good livings of alien 'caitiffs altogether unlearned and unworthy'; the vast sums sent abroad to cardinals who hold English deaneries, archdeaconries, and prebends[1]; the pretentious court of the pope's London collector, who 'transferreth yearly to the pope 20,000 marks and most commonly more'; the ill example set to laymen, who are 'perceiving this simony and covetousness of the pope,' and 'learning to sell their benefices to beasts, no otherwise than Christ was sold to Judas.' It is urged that the pope's collector must be expelled the realm, and the 'statutes renewed against provisors.'

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[1] The English king on his part was to abstain from conferring Church dignities 'by way of simple royal command.'—*Fœdera*, Sept. 1375.

[2] Sudbury had been chaplain to Innocent VI., and papal influence had secured him the see of London. John Gilbert of Bangor, whose name stood first on the commission, was now translated to Hereford by papal provision.

The charges appear more striking in view of the continued improvement in the papal *personnel*. Our despoiler was no Clement V. or John XXII. Urban had purified the papal court: the present pope was conscientious enough to restore it to Rome. At this very time Gregory XI. was weighing the entreaties of St Catherine and St Bridget against the remonstrances of Charles V. and the French cardinals. His better instincts prevailed, and this winter witnessed his departure. Neglect having made the Lateran palace uninhabitable, the papal court was henceforth located on the Vatican. We must notice that this exodus from Avignon at once reduced our political grievance. A complete detachment from all French influences was shortly afterwards effected by the Great Schism (September 1378). If the drainage of our treasure continued thenceforward, the depleting current at least flowed to Italy. It was only the 'alien priories' that could be accused of subsidizing France.

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[1] On the actual facts see the report in Foxe, i. p. 560, and Trevelyan's fragmentary 'Return as to Foreign Clergy.' The latter writer reckons that the preportion of alien archdeacons to natives at this time was one to three, and that the case was the same with deans, chancellors, and treasurers of cathedrals. The proportion in the tenure of prebends he supposes to be much smaller—'probably not one in sixteen'—but the above offices included much patronage of livings, and foreigners were thus often instituted to the rectories. Still more frequently a foreigner became incumbent of a parish by monastic favour, the proportion of aliens among the priors and abbots being very large.—*England in the Age of Wycliffe.*

We must pass hastily over the story of Lancaster's recovery of the position and his assumption of almost arbitrary powers. The enfeebled king was induced to cancel the Good Parliament's work, declaring 'it was no Parliament at all.' Its speaker, De la Mare, was imprisoned, the duke's gang restored to court, and his domination confirmed by an adroit manipulation of the Parliamentary returns (January 1377), the result being a Commons of his own party with his seneschal for its Speaker. A Bill was here proposed to punish London for its hostility to Lancaster. Its government was to be transferred from the Mayor to the Earl Marshal, this office being held by the duke's confederate, Percy.[1] Special vengeance had meanwhile fallen on Wykeham, the chief episcopal abettor of the Good Parliament's policy. As a counterstroke to the attack on Latimer, he was arraigned on a charge of peculation as chancellor in the years 1367-71. It is probable that Wykeham had been guilty of culpable carelessness in his accounts, for the charge was credited even by certain episcopal members of the Council. His temporalities were confiscated. He was also forbidden to approach within twenty miles of the court, and we are told how the scholars whom his munificence maintained at Oxford were disbanded 'in great sorrow and discomfort.' But for Bishop Courtenay's active interposition, his name would have been excluded from the Convocation summons of 1377. Sudbury has been accused of truckling to Lancaster in this recognition of his suffragan's guilt. It is more to his discredit that he did nothing to prevent Alice Perrers' return to court, though she had been sworn before the bishops not to approach Edward again, under penalty of excommunication.

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[1] Better known as the Earl of Northumberland, who plays so important a part in the reigns of Richard II. and Henry IV.

It is equally difficult to vindicate the conduct of a more famous personage than Sudbury. Mischievous as was the practice of bishops serving as chancellors and treasurers, its turpitude was insignificant beside the system of peculation and corruption organized by John of Gaunt.[1] Wycliffe, however, the most effective preacher of the day, was so engrossed by the scandal of 'Cæsarean prelates' as to allow himself to be exploited by the ducal faction. His activity was all directed against Wykeham's party, and of any sympathy for the Good Parliament's aims he showed no sign. He is described at this period as 'running about from church to church, preaching his opinions about the relations of the spiritual and temporal power'; 'barking against the Church . . . much applauded by Lancaster and Percy.'[2]

Lancaster's most powerful foe was the bishop of the menaced city—William Courtenay, son of the Earl of Devonshire, and a great-grandson of Edward I. The counterblast of the clerical party was Courtenay's citation of Wycliffe to St Paul's, as a disseminator of principles perilous to Church and State. Wycliffe being now an inmate of Lancaster's palace in the Savoy, Courtenay himself issued this citation, but his inclusion of the primate's name compelled Sudbury to preside at this curious trial (February 1377). Wycliffe's doctrine of 'evangelical poverty' at present allied him with the Mendicants, and Oxford representatives of the four Orders attended him to defend his cause. More formidable champions appeared in the persons of Lancaster and Percy, whose armed retainers scornfully jostled the London citizens who had crowded to the church. Lancaster demanded that the defendant should be heard seated, and replied to Courtenay's protests with taunts on his reliance on his high birth, and threats to 'bring down the pride of all the prelacy in England.' The assembly broke up in confusion, as was no doubt intended. The duke, however, gained little by this achievement, London's sympathy being all with the bishop, and against the invaders of her liberties. Next day a riot broke out, the official residence of the obtruding marshal being invaded, and a clerk killed for inveighing against De la Mare. Lancaster's armorial bearings were publicly reversed as those of a traitor. The destruction of his magnificent palace was only averted by Courtenay's own interposition. The anticlerical duke was shortly seen appealing to Convocation for protection against the Londoners' defamatory lampoons.

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[1] Mr Trevelyan himself depicts Lancaster as 'the head of a small but well-organized hierarchy of knaves, who made a science of extorting money from the public. . . . Besides these arch-thieves there were sharks and dependants, who received or bought concessions and privileges. . . . From top to bottom the system was all one structure, of which the Duke of Lancaster was the keystone.'—*England in the Age of Wycliffe*, pp. 10, 11.

[2] *Chron. Angl.*, pp. 115, 117.

Whatever the range of Lancaster's ambitions, they were effectively checked by these proofs of his unpopularity. The Mayoralty of London was spared. He contented himself with securing the *jura regalia* of the county of Lancaster, excluding Wykeham from the general pardon granted in connexion with the jubilee of the now dying king, and making over the Winchester temporalities to Prince Richard. As Edward's end drew near, even Wykeham was pardoned on condition of his providing three ships for the king's service by way of fine (June 18).[1]

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[1] *Fœdera*, iii. 1079. Lancaster's usurpation had made his own position critical; and it was natural he should desire to conciliate a powerful antagonist, for whom the Earls of March, Arundel, and Warwick stood sureties. Little weight is now attached to the chronicler's story of Wykeham's securing his indemnification by favour of the degraded Alice Perrers.

CHAPTER VIII

FOURTEENTH CENTURY ECCLESIASTICISM AND LOLLARDRY.

THE reader's attention must now be fixed on the Church's inner life, and the significance of that anti-clerical sentiment which he has seen so mischievously utilized in politics. The period covered by Edward III.'s reign had been one of advancing thought, and the rationalizing spirit noticed at the close of Chapter VI. had doubtless been fostered by our anti-papal legislation. Everywhere there was a tendency to freer handling of institutions and practices once regarded with unquestioning reverence. Henry III.'s reign marks the heyday of a religion that readily credits the discovery of relics, and delights in such functions as the reception of the Holy Blood at Westminster and Hayles. The view of many at the close of the fourteenth century is illustrated by Chaucer's portrait of the pardoner with his 'glas of pigge's bones,' and 'gobbet of the seyl that Seynt Peter hadde, whan that he went upon the see.' Pilgrimages indeed were long to retain their popularity,[1] but we scarcely associate devotional feelings of the old kind with the perfunctory excursion to the 'blisseful martyr's shrine,' or even with the Wife of

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[1] The chief English resorts were Canterbury, Westminster, York, Glastonbury, Durham, Walsingham, Edmundsbury, and Norwich. These pilgrimages were often made vicariously, in deference to a testator's orders.

Bath's extensive ramblings to the sanctuaries abroad. The Canterbury Tales, however, doubtless received their complexion from the developed teachings of John Wycliffe, and might be regarded as a mere travesty. It is more to our purpose that as early as 1370 Sudbury, Bishop of London, and a papalist, sternly rebuked just such a careless party of pilgrims, and impressed the futility of the journey apart from genuine repentance.[1]

The old agencies were losing their power, and the Church remained stagnant and quite indifferent to the necessity of meeting the general spiritual need by new forms of appeal. The bad example of the Holy See, its continual presentation as a political foe, the desolating effects of the Black Death, the prevalent lust for conquest, the dissolute character of the king and court—these might all be noticed in connexion with this tale of decadence. To attempt to trace the evil to its source would, however, be impossible in these pages. A few instances of contemporary stricture must suffice, as illustrating the Church's loss of influence.

The decay of monasticism seems sufficiently attested by Bishop Grandisson's Registers, which we have cited elsewhere.[2] How largely the Mendicant Orders had forfeited respect is indicated by the plain denunciations of the pious Richard Fitzralph, Archbishop of Armagh and one of the most learned theologians of his day. In 1349 Fitzralph had presented at Avignon a general petition of the 'prelates and curates' against the friars' predatory encroachments. Finding the mischief rife in London in 1356, he preached sermons at St Paul's Cross exposing the demerits of the Mendicant system, and when cited by Pope Innocent VI. pursued the same theme at Avignon.[1] His celebrated 'Defence of the Curates' anticipates Chaucer in its portraiture of the abuses consequent on the friars' specious popularity. Fitzralph tells of their venal absolution of heinous offenders, their ravenous inroads on parochial fees, their insidious and self-seeking proselytism. To parental detestation of the last-named practice he attributes the great decline of numbers at Oxford, and his argument is confirmed by the fact that the universities actually appealed to Parliament against the proselytizing friars in 1366.[2] In general society the friars are represented as a predatory horde, habitually obtruding at men's tables as uninvited guests.[3] They aim at money-making and worldly advancement, and secure these ends by 'receiving the secret confessions of princesses and women of noble rank.'[4] In making these sweeping indictments Fitzralph appears to have had the general sympathy of the bishops, many of whom subscribed for the expenses of his appearance at the Papal Court.

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[1] Sudbury's lecture, however, was not well received by these excursionists. One of them upbraided their censor for 'setting the people against St Thomas,' and predicted his hapless end.

[2] See Appendix, note V.

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[1] He died at Avignon in 1360, and it is uncertain whether he was formally condemned. The pope, however, wrote to England forbidding interference with the friars.

[2] The effect was an enactment that no scholar should be admitted into any of the four Orders under the age of 18.—*Rot. Parl.*, ii. 290.

[3] Chaucer's portrait of the 'frere' in his Somnour's Tale has precisely the same lineaments. Lines 27-45 are almost a versified presentation of Fitzralph's charge.

[4] Grosser charges as to abuse of the confessional are subsequently common. Of the period of Wycliffe, Mr Trevelyan remarks that 'in this age of vice and coarseness, when all writers agree that incontinence was the prevailing sin of the laity, it was the friars who were singled out as having a lower standard than even laymen.'

The Mendicant system, however, was not the only crying scandal in the Church. The friars could point to the secularization of the greater prelates, the system of jobbery that underlay the appointments to benefices, the corruption that tainted the ecclesiastical courts. Stratford in 1342 weakly allowed money payment to be substituted for penance in the case of the first notorious offence. He adds that 'commutations are to be made moderately, so that the receiver be not judged rapacious';[1] but a general palliation of sin in return for money was the inevitable consequence. There is no reason to think that the blackmailing 'summoner' afterwards depicted by Chaucer is altogether a caricature. It appears, indeed, that the more corrupt ecclesiastical courts were wont to receive regular annual payments as a composition from wealthy sinners. The friars threw back the indictment of degeneracy in the celebrated tract 'On the Last Age of the Church,' in which the simoniacal traffic of the clergy in holy things was depicted as the third trouble of her history. The era of simony had succeeded those of persecutions and heresies. Only one more trouble remained to be revealed—the reign of Antichrist himself.

Less open to the charge of partiality are the strictures of Langland, a married Malvern clerk in minor orders, whose writings were much quoted by Wat Tyler's followers. The 'Vision of Piers Plowman' (*cir.* 1362) exhibits the rule of Truth imperilled by Falsehood and Reward, and the way of penitence obscured by the venal absolutions of a friar. The Plowman would fain make a pilgrimage to the abode of Truth, but she bids him stay at home and work, and instead of a brief of indulgence presents the connexion of everlasting life with doing good. In contrast with this aim there is a portraiture of selfishness, worldliness, ignorance and 'idolatrous teachings,'[1] on the part of the Church's pastors. Conscience complains of the Lady Reward that she has infected the pope with her poison. It is she and Master Simony who seal the papal Bulls, consecrate bishops, be they ever so ignorant, and secure to the clergy immunity in licentiousness. Langland anticipates Wycliffe in his suggested specific, the disendowment of the Church—

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[1] Gibson, *Codex*, ii. 1091. There is a marked contrast here with the Constitutions of Otho and Ottobon, both which absolutely prohibit taking money for penance, as encouraging sin.

> 'If possessions be poison, and imperfect them make,
> Good were to discharge them for Holy Church sake,
> And purge them of poison ere more ill befall.'

Equally plain is Langland's testimony to the degeneracy of the Regular Orders. He foretells the day when 'the Abbot of Abingdon and all his issue for ever shall have a knock of a king, and incurable the wound.'[2] The mendicant friar, too, is in close compact with Lady Reward, who promises to give him a new cloister with painted windows, 'so that all men shall say I am a sister of your house.'

John Wycliffe, in whose system of religion all such complaints were henceforth to be focussed, was born about 1320, near Richmond in Yorkshire. Though ignorant of Greek and Hebrew, he was noted at Oxford for his profound knowledge of the Vulgate Scriptures and of Augustinian theology,[3] and is described as 'transcending all men in his subtlety of thought.' His strange treatises *De Dominio* (*cir.* 1368) have been mentioned as providing useful weapons for Lancaster's party. Wycliffe had inveighed not only against the 'civil rule' but the 'civil possession' of the clergy, and had descanted on the power of the State to disendow a corrupt Church.[1] The schoolman's reasoning might indeed appear to menace other possessioners besides the prelates, and even to justify the communistic teachings of the fanatical friars. Explaining man's relation to God in the terms of feudal tenure, he argues that 'The wicked, who do not render due service to their Lord, may rightly be deprived,' for 'Dominion is founded on grace.' 'All who stand in grace have the same right to the possession of the gifts of God, for all things are yours whether things present or things to come.' 'Charity, which seeketh not her own, seeketh to have all things common.'[2] Of the social dangers underlying such teachings Courtenay seems to have proved a better judge than Lancaster. Wycliffe is however here, doubtless, presenting academical or scholastic ideals, not a practical policy. His conscientiousness is indisputable, but he was himself a non-resident clerical 'possessioner,' holding a distant country living with a prebend.[3]

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[1] Langland, according to Mr Trevelyan, uses the word 'idolatry' even more frequently than Wycliffe.

[2] Bk. X. 321-9.

[3] He also makes large use of Chrysostom's Homilies in their Latin rendering.

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[1] *De Civ. Dom.*, i. 37; iv. 19.

[2] *Ib.*, i. 14.

[3] He was master of Balliol in 1361—resigning probably that office, but not changing his residence, on appointment in the same year as Vicar of Fillingham. He resigned Fillingham for Ludgershall in 1368, and Ludgershall for Lutterworth in 1374, still residing at Oxford with episcopal sanction. He obtained a prebend in the collegiate church at Westbury (*cir.* 1361), and apparently held along with it one at Lincoln for a short time. While Rector of Lutterworth he held (again for a short time) a prebend at Aust. He, doubtless, put a *locum tenens* in charge of his

To the year 1374 is now assigned Wycliffe's tract on the papal tribute.[1] Gregory XI. had renewed Urban VI.'s demand, and an anonymous writer challenged Wycliffe, now a royal chaplain, to confute his position. The reply presents the national case ably and temperately in the imaginary speeches of seven barons. Wycliffe writes as a 'humble and obedient son of the Church of Rome,' who 'will assert nothing that is unfair to that Church or offensive to any pious ear.' The tract extended his influence to a wider sphere, and at this point begins the story of his public or political career—a subject which is sufficiently noticed in our Chapters VII. and IX. Its climax is reached in 1379. Wycliffe has now baffled the hatred of the leading prelates, and is still in high repute at Court. His practical aims are finally expressed in the *De Officio Regis*, invoking the king's aid against abuses which the hierarchy cannot or will not check.

Hitherto Wycliffe had suggested reforms rather than doctrinal changes, and his heterodoxy had probably not gone much beyond an impugner of the monarchical episcopate and an 'Erastian' view of the relations of Church and State. From 1379 onward, on the other hand, the schoolman and State champion is merged in the popular teacher, whose tracts and translations of Scripture are circulated by itinerant 'poor priests.' A new synthesis of religion is gradually evolved.

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living. The practice of arranging thus for extended study at the University was common, and it may be added that Wycliffe held no plurality of cures, as did almost every distinguished contemporary divine. But it is hard to reconcile his acceptance in 1374 of a well-paid seat on Lancaster's commission abroad at £1 a day and travelling expenses, with his severe censures on all clergy engaged in secular employment.

[1] See Rashdall, *Dict. of Nat. Biogr.*, and Tout, *Political Hist. of Engl.*, p. 434, note.

With seeming menace to the Church, it appeals from mediated agencies to personal religious experience, and from centuries of misused authority to the primitive rule of Holy Scripture. To understand the future story of 'Lollardry,'[1] the student must realize its theological standpoint when Wycliffe died in December 1384.

We deal first with its negations. The Lollards now denied all 'Transubstantiation'[2] in the Eucharist. Wycliffe first disclaimed this dogma in twelve short theses, published at Oxford in the stormy summer of 1381. From the philosophical standpoint, he had now realized the absurdity of 'accident' apart from 'subject,' and he had learnt that the Lateran dogma was unknown to the Church for a thousand years. Henceforth he connected it with 'idolatry,' and taught that the believer's aim was to partake of Christ not corporeally but spiritually. To the last, however, Wycliffe attached a peculiar efficacy to the official act of consecration. The Body of Christ is given and received 'virtually, spiritually, and sacramentally.'[3] For a time this explanation was warmly espoused by the Seculars at Oxford, though it alienated many former allies and notably his patron Lancaster. The breach with the Churchmen, however, becomes impassable when Courtenay's commission declares it heretical (1382). Henceforward it is on this point that Lollardry is specially assailable. The connexion of the Lateran dogma with chantries and perfunctory masses partly explains the zeal of its defenders.[1]

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[1] The nickname 'Lollard' early attached itself to the Wycliffites. It is probably connected both with the verb 'lull,' to sing or hum psalms, and 'loller,' an idle fellow.

[2] For the titles see Lechler, *John Wycliffe*, etc., p. 368.

[3] *Cf. Conclusiones* (1381), 4, 7, *De Euch.* i. 2, *Trialogus*, iv. 8. Wycliffe probably did not really hold that the official capacity is conditioned by the worthiness of the priest, notwithstanding the *De Dominio* statement 'Nullus est dominus civilis, nullus episcopus, nullus est praelatus dum est in peccato mortali.' On the other hand, many of his successors, Huss probably included, applied these transcendental aphorisms literally. Hence the condemnation at Constance of the doctrine that 'mortal sin cancels the power of the bishop or priest to ordain, consecrate, or baptize.' The condmnatieon is endorsed in the 26th of our 39 Articles; also in the Apology for the Augsburg Confession, where it is styled an opinion 'of the Donatists and Wycliffites.'

From denial of Transubstantiation, Wycliffe advanced to a repudiation of the pope's spiritual authority. Hitherto he had accepted the Papacy as an institution of Divine ordering, and even after the schism of 1378 he looked hopefully to Urban VI. as a possible reformer of abuses. Disgust at the mutual excommunications of the rival pontiffs, or extended historical inquiry, has quite altered this attitude in 1382. Wycliffe is now convinced of the spuriousness of the papal claim and its pernicious influence on Christianity. Henceforth he identifies the pope with Antichrist. He declares all veneration for the papal office 'detestable and blasphemous idolatry,' and assails its mendicant myrmidons with vigorous invective.

In the matter of Orders, on the other hand, Wycliffe appears to have approached far earlier a Presbyterian standpoint. He retained to the last his belief in a continuous official ministry, but he sharply differentiated the 'Cæsarean'[2] prelate from the primitive head of a college of Christian priests. It is not surprising to find that after Courtenay's purgation of Oxford (1382) some of his poor priests had not the credentials of episcopal ordination. That the Church's minister 'should say "I assoil" when he wot not if God assoil,' seemed latterly to Wycliffe a gross profanity. Similarly, he denounces the 'blasphemous presumption' of canonizing persons of whose merits in God's sight the pope 'knows as little as Prester John or the Soldan.'[1]

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[1] Wycliffe seldom assails these expiatory agencies directly. He once asserts, however, that a single good action done in a man's lifetime is of more saving value than 'millions of pounds given by his executors' for such ends. *Misc. Sermons*, fol. 203.

[2] This term, however, in Wycliffe's vocabulary connotes a curious misconception of præ-Nicene conditions. He was convinced that the 'monarchical' bishop was the creation of Constantine. See *Saints' Days Sermons*, xl. 81, 3, and xlvi. 93, 3.

We turn to the constructive features in this new religion. Its strength lay in emphasizing the need of personal apprehension of God in Christ. Outside the best monastic circles this need had, doubtless, been obscured. The Church, in her insistence on dogma and organization, had presented a principle of enforced civism rather than of personal sonship, and sunk the thought of direct responsibility to God in that of sacerdotal mediation. It is easy to connect with this fundamental error the perverted doctrines, the spurious miracles, the abundant superstitions of the mediæval period. In Wycliffism a subjective God-consciousness appears in harsh contrast to such ecclesiasticism. Against affiliation in one visible Church was arrayed the aim of future inclusion in a Church of Christ's elect. The special channel of the Divine grace necessary for this purpose Wycliffe conceived to be the Scriptures, and these he called the 'Word of God.' Hence the enterprise with which his name is lastingly connected —a general circulation of the Bible in the vernacular, pursued from 1380 onward.[2]

That there was as yet no discouragement to the general reading of Scripture is certain. The only facilities, however, offered by the English Church to those ignorant of Latin were vernacular translations of the Psalms and Gospels (perhaps, too, of the service-book selections from the Epistles) and the whole Bible rendered in old court French.[1] With the leading incidents in the sacred story men were doubtless familiarized, not only through pastoral agencies but by drama and art. But the presentation was vitiated by worthless glosses and legends,[2] and there was a marked departure from the old Patristic view of Scripture, as a standard of faith, and guide for the individual life. Wycliffe, to re-establish these claims, proposed a dissemination of the whole Bible in the vernacular. Much as he may have misapprehended its historical position[3]—the stress laid on the open Bible at the Reformation, its presence to-day in a million cottages, and its circulation in hundreds of tongues as an accessory to missionary work, are the justification of Wycliffe's method.

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[1] *Trialogus*, iii. 30.

[2] See Appendix, note vi.

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[1] French, it must be remembered, was the language of the Parliamentary records till 1362, when Latin was substituted. In 1363 the chancellor opened Parliament for the first time with a speech in English.

[2] The clergy seem at this time to have been crammed for pulpit work with such material, and the friars delighted in giving the practice of glossing a more questionable elasticity. The new religion took men from glosses to the Bible itself. The difference was appreciated by Chaucer, who, besides his ideal 'persone's' tale, with its ample applications of Scripture, has portrayed the 'frere's' rule of preaching:

> 'Nat al after the text of holy writ,
> For it is hard to you as I suppose,
> And therefore wol I take you to the glose:
> Glosinge is a glorious thing certeyn,
> For "letter sleeth" as we clerkes seyn.'

[3] From the modern standpoint, it is obvious that in Wycliffe's idea of Scripture there was the same exaggeration and one-sidedness as in his *De Dominio* speculations. Not only was the term 'Word of God' applied to the literature *en bloc* (including, of course, the Old Testament Apocrypha), but this Word of God was viewed as if coming independently of social agencies. It might have been supposed that Christianity did not exist before the New Testament, or Judaism before the Old. The idea of a verbally inspired Bible, which so long dominated Protestantism, may be traced back to Wycliffe. According to Lechler, he made Christ not only the author of Scripture but, in some sort, identical with Scripture. *Op. cit.*, chap. viii. § 3.

Wycliffe was assisted in this task of translation by certain Oxford followers—less learned disciples doubtless multiplying copies for dissemination. It appears that the New Testament was translated throughout before the Old was dealt with, and that the latter was rendered in somewhat pedantic English by Nicholas Hereford, who had reached the book Baruch when apprehended and incarcerated in 1382. A plan of revision, supposed to have been initiated by Wycliffe himself, was carried on after his death, the result being the edition published by John Purvey in 1388, which, after many vicissitudes, secured a position in Henry VI.'s time as a standard translation of the Vulgate. Copies of this work, more or less complete, appear to have been widely disseminated, before the suppression of Lollardry by Henry IV. and Arundel. Of the 135 existing MSS. we are told that the majority were executed between 1388 and 1428, and that twelve are of earlier date than 1400.[1] The effect of the enterprise in developing the English language, stimulating education, and extending the mental horizon of the lower classes, rank only second to its religious influence. Knighton bitterly complains at the century's close that the Bible has become 'more familiar to laymen and women able to read than it is wont to be to well-lettered and intelligent clerks.'[2]

Wycliffe's religious synthesis is broadly that of the Lollards, whose fortunes will be traced in our succeeding chapters. The socialistic theories of the *De Dominio*,

[1] *Cf.* Fordham and Madden, vol. i. p. xxxix. ; Lechler, chap. vii. § 3.

[2] *De Eventibus Angliæ*, col. 2644.

on the other hand, belong exclusively to the early part of his career, when he was in alliance with the friars. After 1381 there is nothing connecting them with the new religion, and they stand quite apart from the treasonable attempts to which the Lollards sometimes resorted under persecution. A drift to anarchy and incivism was, however, always likely in a system so marked by individualism. Often, doubtless, it was only the negative and aggressive side of Wycliffe's teachings that won adhesion, conscience and desire for religious edification being as little operative as in the case of their first patron Lancaster. On the other hand, there is ample evidence that on many unobtrusive persons it exercised the same sort of influence as the eighteenth-century Methodism. Along with a somewhat narrow and ill-balanced pietism, it fostered sobriety, thoughtfulness, religious earnestness and regularity of life. That it drifted at times to strange doctrinal aberrations is likely enough. No Elisha received the mantle of the Oxford schoolman, or redressed the lack of constructive system evidenced in his writings, and to the last it was probably more easy to show, as Bishop Pecock did, what the Lollards aspersed in the existing system than what they actually believed. To attempt to define the connexion of Lollardry with the sixteenth-century Reformation would lead us outside our province. Enough has been said to show that Wycliffe introduced into the popular conception of religion elements which have never ceased to find some recognition since. The question of their relation to ecclesiastical polity may indeed be said to determine still the cleavage lines of Christendom.

CHAPTER IX

RICHARD II

ON the death of Edward III. Lancaster allowed himself to be excluded from the Coalition Council, and his effacement was confirmed when the October returns brought back nearly a third of the Good Parliament's knights to Westminster. Its hero, De la Mare, was re-elected Speaker, and its policy was actively renewed—Mistress Perrers being sentenced to forfeiture of goods and exile, the Council recast and Lord Latimer formally excluded, and the chancellorship and treasurership declared to be subject to election. The Council, when finally arranged, included three bishops, but not the Lancastrian primate. The omission was a merited slight, but it would have been well for Sudbury had he remained permanently outside the thorny field of politics.

In ecclesiastical matters, too, the line of the Good Parliament was followed. The Commons petitioned the Crown on the subjects of alien monasteries and the obtaining of Church preferments by papal favour, the special grievance being, as in 1376, the consequent drainage of money to the curia or foreign beneficiaries. It was voted that such money should be detained, even though the pope resorted to spiritual reprisals. Wycliffe was consulted by some of the Council on this subject, and he strengthened the national case by a state-paper emphasizing the unity of Church and State, and justifying the proposed action by the law of nature, the law of the Gospel, and the authority of St Bernard.[1]

The appeal to Wycliffe attests an influence independent of his injudicious alliance with Lancaster, and is the more remarkable in that men knew he now lay under the ban of Gregory XI. Unknown enemies had lodged complaints, which before Edward's death had resulted in Bulls sent to Sudbury and Courtenay, demanding his arrest and examination. A catena of nineteen pernicious opinions was attached, and the prelates were severely censured for tolerating them. 'You ought to be covered with shame and blushing: you ought to be conscience-stricken for thus passing over these iniquities.' Presumably tidings of Courtenay's citation had not yet reached the curia, or its intention had been seen to be political rather than religious.

Sudbury, if desirous of certain reforms, had but little in common with Wycliffe, and had always shown himself an obsequious servant of the pope. But to obey the mandate in the present temper of the nation was not easy. He tried this winter to transfer its execution to the University, but was countered by a vote of Congregation that Wycliffe's arrest would be illegal, 'as giving the pope lordship and regal power in England.' The vice-chancellor, himself a monk, went so far as to caution Wycliffe to remain within the precincts of Black Hall, for fear of arrest; but here matters halted till March 1378, when the Reformer voluntarily presented himself for examination at Lambeth. His heresy was as yet undeveloped; and the catena dealt exclusively with his teachings concerning Dominion, ecclesiastical property, and the distinction of bishops and priests. For his defence he had prepared a 'Protestation' of somewhat evasive character, claiming that his words where ambiguous should be favourably interpreted. This Lambeth investigation, however, was as much a fiasco as that at St Paul's. Before the court opened, the princess dowager wrote cautioning Sudbury 'not to presume to pronounce any sentence' on Wycliffe. The proceedings were interrupted by the clamour of the Reformer's sympathizers, and he adjourned the case, and did not take it up again. This affair was the last episcopal attempt to bring Wycliffe to trial, and it is yet more memorable as disposing of the inquisitorial pretentions of the pope. So strong was the feeling on this point that the Oxford vice-chancellor, who was already in disgrace on other grounds, was imprisoned by the Council for connivance at an unconstitutional encroachment. Church and State co-operated later on to suppress heresy, but the agencies used were ecclesiastical courts and statute law, not the authority of Rome. 'We succeeded,' as Mr Trevelyan says, 'in keeping out the pope's inquisitors, though we could not keep out his collectors and his pardon-mongers.'

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[1] *Cf. Fasc. Zizan.*, 263.

The death of Gregory XI. a few weeks later relieved all parties from the inconvenience of these Bulls. In August occurred the curious episode of the desecration of Westminster Abbey. Two knights, confined in the Tower for not surrendering a Spanish hostage whose possession Lancaster required to facilitate his claims to Castile, escaped and took sanctuary at Westminster. The governor attempted to recapture them. One of the two was killed by his officers while fleeing round the Abbey choir, an unfortunate sacristan also receiving a mortal wound. Courtenay and other enemies diligently utilized this sacrilege to augment Lancaster's unpopularity, and the Abbot of Westminster not only suspended services, but defied the king's order to reconsecrate the polluted spot. Sudbury, Lancaster's friend, maladroitly furthered the innuendo, by excepting all members of the royal family in his excommunication on all persons implicated. Lancaster, however, was now recovering his prestige, as our commander-in-chief; and the bomb exploded in the hands of his assailants. Abuse of privilege of sanctuary was a charge constantly raised against the Churchmen by their opponents. When, in consequence of this sacrilege, Parliament met at Gloucester instead of Westminster, the episcopal attack was promptly diverted by 'certain of the lords.' Doctors, moreover, appeared on behalf of the crown, to defend the pursuit of the knights, and dilate on the injustices and scandals the Church's immunity entailed. It is illustrative of the utter failure of Gregory's Bulls that one of these chosen champions was Wycliffe. He read a paper showing that the Old Testament asylum for the innocent was now misused in the interest of fugitive criminals and fraudulent debtors, and branding the practice as an example of 'false piety and unjust pity.' So complete was the discomfiture of the Churchmen that they took action next year to confine the privilege of sanctuary to debtors. Criminals, nevertheless, continued to shelter themselves under the Church's ægis, till less considerate hands dealt with the abuse in 1540.

A more important subject of discussion at Gloucester was the future direction of England's ecclesiastical allegiance. In April Urban VI. had been instated in the Papacy. In September the French cardinals, disgusted by his tyranny, announced to Europe that they had only voted for him under intimidation, and that

Cardinal Robert of Geneva was appointed to St Peter's chair as Clement VII. The Empire, Scandinavia, Flanders, and Portugal continued loyal to Urban; but Clement, who set up a papal court again at Avignon, at once received the allegiance of France and Naples, and later on of Castile, Arragon and Navarre. Such in brief is the story of the Great Schism which divided Western Christendom for the next thirty-nine years. Appeals from both sides were read before the Gloucester Parliament (October 1378). Sudbury pronounced strongly in favour of Urban, and the ministry after due consideration followed his lead. Scotland, of course, proceeded to acknowledge Clement.

In January 1380 Parliament met disgusted with our continued military reverses. The blame being laid on the Council, it was abolished as superfluous, with the result that once again Lancaster recovered the direction of affairs. Even in 1377 his professed sympathy with Wycliffe had not hindered his appointing prelates to offices of State. The Commons at his instigation now demanded that Sudbury should be chancellor and Bishop Brantingham treasurer. The situation this year was of the gravest character. The unsuccessful war against France and Castile so reduced the exchequer that the crown jewels were pawned: our unpaid troops abroad were threatening to desert; at home there were plain symptoms of widespread social discontent. When the financial exigencies necessitated another session in November, the Commons, with strange fatuity decided, that 'all the wealth of England had gone into the hands of the labourers and workmen.' To extend the fiscal area, it proceeded to inflict the celebrated poll tax. Gross mismanagement marked the course of its assessment and collection, and for this Sudbury and Sir

Robert Hales, prior of the Knights-Hospitallers, who had succeeded Brantingham in the treasury, were justly deemed responsible. When in mid-June 1381 London lay at the mercy of the Kent and Essex insurgents their fury was specially directed against Lancaster and his incompetent ministers.

The duke, fortunately for himself, was now absent in Scotland, but official incapacity or treachery enabled them to effect a cruel vengeance on the chancellor and treasurer. On June 14, while Richard was propitiating one section of the rebels with charters and banners at Mile-End, another was allowed to enter the Tower, where they had taken refuge. They were found in the chapel engaged in prayer. Sudbury forbade resistance, saying to his attendants, 'To die is better than to live, when by living we can no longer be of service to others.' He was buffeted, pinioned, dragged out before a yelling crowd on Tower Hill, and there barbarously beheaded, along with his companions, by an extemporized executioner. His head was exhibited on London Bridge, till the dispersal of the rebels, when, by Richard's order, that of Wat Tyler was substituted. Sudbury's wretched statesmanship was deemed to be condoned by the piety of his death, and Walsingham records the working of some miracles at his tomb. The assailant of pilgrimages could, however, hardly be expected to inspire the usual demand for canonization.

The poll-tax which thus upset England's equilibrium was but the last straw in a pile of social grievances. The working classes had long chafed under the cruel Statute of Labourers (whose rigour was intensified in 1360), their failure to commute the ancient services of villenage, their supersession in the labour market by foreign competition.[1] The lower-middle stratum was specially embittered by the denial of municipal rights to the towns, or the impairment of those rights by oligarchical oppression. To these discontents must be added the influence of a mischievous socialist propaganda, traceable primarily to the Franciscan 'spirituals,'[2] but not without fautors among the ill-paid lower clergy. Side by side with Jack Straw, the mendicant enthusiast, who proclaimed the glorious time when the saints should possess the earth, was John Ball, the 'mad priest of Kent'—recently imprisoned for his turbulence by Sudbury, and now inveighing against the order of 'gentleman' in his famous sermon on Blackheath. Along with the Wat Tyler affair in London came risings in many counties, the fortnight's prevalence of jacqueries in East Anglia being specially marked by hostility to proprietary rights, to lawyers as their champions, even to the clerkly skill that gave them vitality. Schoolmasters were roughly handled, and sworn not to teach grammar any more. A sack of Corpus and certain Halls at Cambridge was crowned by the seizure of the University muniments from St Mary's Church. These were burnt in the market-place, to the cry, 'Away with the learning of the clerks.'

As in 1327, there was a concentration of hostilities on the old monastic houses, these being notorious with-

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[1] Thirty-four wretched Flemish artisans fled from the fury of Wat Tyler's horde to the Church of St Martin Vintry, and were there slaughtered in cold blood.

[2] Langland had inveighed against the friars for these teachings—

'They preach men of Plato and prove it by Seneca
That all things under Heaven ought to be in common;
And yet he lieth as I live that to the unlearned so preacheth.'

Piers Plowman, Bk. xx. 273-5.

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holders of municipal privileges and of the concessions now granted by all lay landlords to tenants. Edmundsbury and its abbey fell into the hands of John Wraw, the priest anarchist of Suffolk. The prior was hunted down and hastily tried and executed; and his head was exposed in the market place, along with that of Wraw's more notable prisoner, chief-justice Cavendish. The monks had to cede a charter of liberties to the town; and their plate, treasure and title-deeds passed to municipal authorities of the demagogue's creation. When Wraw was brought to justice, other secular clergy were convicted of complicity in this affair, and were duly hanged and quartered. St Albans' Abbey was to be long notorious as a conservator of antique feudal despotism. Here too, however, William Grindcob enforced the cession of an ephemeral charter, securing to the town manorial liberties and large powers of self-government. The houses at Ely and Barnwell had already surrendered: and a like fate menaced Peterborough, Ramsey and Huntingdon. Henry Despenser, a grandson of Edward II.'s favourite, had fought for Urban V. against the Visconti, and been rewarded with the bishopric of Norwich in 1370. He appears in this stormy month as the only magnate displaying courage or strategic skill, and to him was due the suppression of the fast-spreading East Anglian revolt. Marching hastily from Stamford, with only a few retainers, Despenser came up in time to rescue the monks of Peterborough and Ramsey. Moving on to Cambridge, he restored order there by beheading a democrat squire, deposing the mayor and imprisoning sundry rioters. His nine days' campaign was crowned by a pitched battle with the rebels at North Walsham. Their leader was Litster, the dyer, who had for some days held sway in Norwich Castle, compelling knights to do him menial service, and gathering in spoil of court rolls and manorial records. Despenser defeated and captured the Norfolk 'king of the commons,' and himself confessed and absolved him before relegating him to the halter.[1]

The connexion of Wycliffe's early writings with this prevalence of anarchy has been vigorously pressed and as vigorously denied, and may be left an open question. The Reformer's doctrine of evangelical poverty was certainly that of the fratricelli, whose complicity is undeniable; and Oxford's close connexion with students from all classes of life may outweigh the argument that the illiterate insurgents of 1381 could not possibly have read the *De Dominio* in Latin. No great mental effort would be necessary to apply the gravamen against clerical 'possessioners' to equally wealthy laymen, and it is not immaterial that Lancaster, whose magnificent palace in the Savoy was now burnt and gutted, never again descanted on the 'pride of the prelates,' or suggested spoliation of the Church. On the other hand, anarchical and socialist schemes were certainly no part of Wycliffe's public teachings; and the fact that within a few years after 1381, Lollardry secured a firm hold on the proprietary classes argues for contemporary exculpation. That the Reformer was disgusted by the outbreak, and, discarding all academical subtleties, now descanted on the duty of obedience to constituted authority is certain.

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[1] Walsingham, *H.A.*, i. 471, ii. 1-6. The records of trials considerably extend the area of disturbance, and attest similar disturbances in Leicestershire, Yorkshire, Cheshire, Somerset, and Wilts. The anti-monastic feeling is repeatedly evidenced. In the Wirral of Cheshire the serfs of the Abbot of Chester headed the rising. At Bridgewater and in North Leicestershire certain vicars led the local insurgents against the monk impropriators.

It must be recognized, however, that even now his view of the atrocities on Tower Hill was distorted by religious prejudices. The primate, he writes, had 'died in sin, holding the most secular post in the kingdom.' 'Though secular persons may take away secular things from a fallen Church, to take away carnal life from the guilty head of a Church seems too cruel a punishment.'[1]

A wise choice appointed the high-born and popular Courtenay as Sudbury's successor, and he raised his cross and crowned Queen Anne before Urban's Bull of translation reached England. Courtenay's humanity is perhaps attested by his resignation of the great seal when the government initiated its ruthless measures against the recent rebels (November 1381). As Chancellor of Oxford he had, in 1367, himself conducted a resistance to the friars' encroachments, and narrowly escaped a citation to Avignon. But, though neither a persecutor nor a papalist, he had a long account to settle with Wycliffe. To his promptings, doubtless, may be attributed the ordinance of the king and lords (May 1382) empowering the sheriffs to arrest itinerant preachers as 'sowing discord and dissension between divers estates, and exciting the people to the great peril of the realm.' The new Commons of October, however, objected that this ordinance had had no sanction from their house. It was agreed that it should not be accepted as a statute.

An easier object of attack was Wycliffe's theology, which, besides disparagement of authority and monastic vows, now included the denial of Transubstantiation. His orthodoxy was investigated this summer by a committee of experts (bishops and doctors of theology and law) sitting under Courtenay's own presidency at

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[1] *De Officio*, 27, 9. *De Blasphemia*, c. 113, fol. 118, col. 4.

Blackfriars. Ten propositions attributed to him were pronounced by the 'earthquake council'[1] heretical, and fourteen erroneous—four of the former bearing on Transubstantiation and the Sacrificial Mass. This sentence was advertised in Courtenay's name at Paul's Cross. Its gainsayers were declared *ipso facto* excommunicate.

On extending this activity to the seat of Wycliffism, the primate at first encountered difficulties. Rugge, the vice-chancellor, was avowedly a supporter of Wycliffe, and Courtenay's commissioner was outargued by the learned Repyngdon and bullied by the younger students. Rugge himself treated the archiepiscopal mandate as an invasion of University privileges. But an appeal to the young king shortly settled this affair. Richard not only confirmed the primatial claim, but issued a letter patent ordering the University to expel Wycliffe, Repyngdon, Hereford and Aston within seven days (July 23). The climax was the gathering of Convocation at Oxford in November 'for the suppression of heresy,' and a seeming extinction of the new doctrines at their fountainhead. The inconstancy of Wycliffe's more learned followers—now and subsequently—may be attributed to the absence of logical constructive elements in the new religion. Rugge very soon asked pardon on his knees, and obtained it through the intercession of Wykeham. Aston recanted, and was restored to his degree this winter. He was again active as a Lollard preacher in Richard's reign, but finally purged his heterodoxy when menaced by the drastic methods of Archbishop Arundel. Nicholas Hereford, the translator, fleeing abroad with the singularly ill-advised intention of appealing to the pope, experienced a three years' detention in the Castle of St Angelo. He escaped, preached Lollardry again in England, twice recanted, and eventually blossomed out as chancellor and prebendary at Hereford Cathedral. In 1417 he resigned his dignities to end his days in the Coventry Charterhouse. Philip Repyngdon, recanting with Aston in 1382, entered on an ecclesiastical career of exceptional brilliancy, passing in 1405 from the Abbacy of Leicester to the great bishopric of Lincoln. He resigned this in 1419 after a protracted quarrel with the Crown, provoked by his receiving a cardinalate from Gregory XII. just before the Council of Pisa.

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[1] So called from an occurrence on the first day of session (May 21) which Courtenay rather felicitously interpreted as a call to the Church 'to throw off her noxious vapours.'

There is little warrant for the story that Wycliffe himself was summoned to Oxford,[1] and came to terms with the ecclesiastical authority. His expulsion having been effected, it is probable that he was saved from further molestation by his fame and popularity. He appears to have resided continuously henceforth at Lutterworth, twelve miles from Leicester. Though his intercourse with the University was severed, his pen was busy until his death, December 31, 1384, and to these years belong such polemics as the *Dialogus*, and the tractates on the Schism and the papal crusade. The missionary character of his enterprise seems, however, to have been now more distinctly recognised, and the Lutterworth output included a vast number of devotional and practical pamphlets intended to supplement the labours of his itinerant poor priests.[2]

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[1] So Hook, *Archbishops*, Bk. III. ch. xvi. The incident is presented as a recantation of his 'heretical pravity' by pseudo-Knighton. As a fact, there is no record of Wycliffe's appearance in the registers of the Oxford transactions.

[2] On this literature, and the date and details of Wycliffe's death, *cf.* Lechler, *op. cit.* The story that Urban VI. cited Wycliffe to Rome, and that he excused himself on the score of failing health, is now generally rejected.

The extraordinary success of Lollardry in the years following Courtenay's display of activity was in some measure due to the disasters that attended England's patronage of the pope's crusade. Urban VI. proclaimed a holy war against his rival, and appointing Despenser as his lieutenant in England, empowered him to issue 'wonderful pardons.' The Parliament of 1382 utilized this appeal, as sanctifying our hatred of France and intervention on behalf of the Flemish insurgents, and it swelled Despenser's vast accumulations[1] by voting a grant in aid. The year closed with a function at St Paul's, when a motley host of mercenaries, adventurers and pietists took the cross with the ceremonial of the old crusades. Despenser, however, instead of fighting the 'Clementines,' distinguished himself only by cruel raids in 'orthodox' Flanders, and the climax was the disgraceful retreat of September 1383. Wycliffe lived to see his condemnation of the whole enterprise justified in popular opinion, and a Parliamentary commission avenging the disappointment. Despenser suffered sequestration for nearly two years as guilty of presumption, mismanagement and breach of contract, and some of his lieutenants were heavily fined.

Another factor in the resurgence of Lollardry was the sympathy of Richard's amiable and pious consort, the Bohemian princess Anne, who deeply appreciated the Evangelical elements in the new religion. Anne appears to have lent no countenance to Wycliffe's sacramental heterodoxy, and she maintained good relations with the bishops, and even employed the reactionary Arundel as her spiritual adviser. Her influence, nevertheless, must have done much to counteract the effect of Courtenay's purgation of Oxford —protection being assured to the Bohemian students who now flocked there, attracted by the fame of Wycliffe. Among these foreign visitors was Jerome of Prague, and to this intercourse with Oxford may be traced Huss' initiation of the Bohemian movement twenty years later on lines akin to Wycliffe's.

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[1] In the London diocese alone, according to Froissart, there was collected a large Gascony tun full of money.

But probably the most telling influences on behalf of Lollardry were the growing disrepute of both popes, and the scandalous implication of the bishops in the political struggle of 1386-9. The Wycliffite gravamen gained fresh point in such incidents as the obtrusion of Arundel and Gilbert into the offices of chancellor and treasurer, and Arundel's supersession of Neville of York. Nor were these the only Churchmen interested in the usurpation of the Appellants. The political cleavage itself prevented united episcopal action against the spread of Lollardry, and it was a natural consequence that the ill-used Richard turned from the prelates to their enemies for advice and support. Despite his own aversion for heterodoxy, he found himself forced to make use of notorious partisans of Lollardry. Clifford, Story and Clarevow became influential members of the Council; the last-named being the king's ambassador to France in 1389. Undisguised sympathy for the new religion was displayed by Richard's confidante, John Montagu, Earl of Salisbury, one of his eight lords appellant in 1397, and among the few found faithful in 1399.

Courtenay's officious mentorship of the young king had early impaired his influence at court, and he seems to have given little heed to the spread of Wycliffism after his display of energy in 1382. Though a man of amiable character, he was doubtless ill qualified to appreciate its underlying truths and little inclined to enlist the zeal of the 'poor priests' in the service of the Church. His attention was concentrated on the old pedantries of ecclesiastical organization, on the extent of his own rights as visitor in other sees, on the lawfulness of a monk varying the prescribed dress of his Order. He has the credit of one salutary Constitution—for the restraint of 'choppe churches' or simoniacal traffickers in livings. Unlike Sudbury, however, he was quite out of touch with the new religious thoughts, and he lost the popularity of his London days by deferring as much as Sudbury to the encroachments of the pope.

Under these favourable conditions the work of Wycliffe's missioners assumed a new complexion, being boldly pursued and finding unconcealed sympathy in almost every class. It was aided by the contributions of wealthy London merchants; and, despite their occasional lack of episcopal ordination, the itinerant preachers were welcomed by many incumbents, and found pulpits at their disposal alike in town and country. Their chief strength was doubtless in the midlands, where, Knighton says, 'almost every second person' was a Lollard. Despenser's threats of burning as yet kept the preachers from the Norwich diocese, afterwards a hot-bed of Lollard teachings. But probably few other parts save the extreme north were unaffected, and as early as 1390 the poor priests were rousing the Welsh dioceses of St David's and Llandaff. Their immunity in the country districts is attributed by the canon of Leicester to their popularity with the local magnates. 'The knight was always at the preacher's side, ready to protect him should anyone dare to oppose his person or his doctrine.' 'Their discourse'—adds this hostile witness—'was at the beginning full of sweetness and devotion, but towards the end it broke out into jealousy and calumny. Nobody, they said, was upright and pleasing to God who did not hold the word of God as they preached it.'[1]

There is no need to confirm Thorpe's description of his master—'a passing ruly man and innocent in his living . . . the most virtuous and godly man that ever I heard of or knew.' It would seem that the Lollards mostly did John Wycliffe justice. They were recognizable as scouting intemperance and laxity of life, dissociating themselves even from Church ales, and regarding worldly pomp and the prevalent passion for war from much the same standpoint as the later Quakers. They were opposed also to the now general practice of profane swearing,[2] and, as was said afterwards of Oldcastle, 'babbled the Bible' and eschewed unedifying talk. On the other hand, English Lollardry not infrequently displayed much of the profanity, intolerance and aggressive bigotry that marked its Bohemian congener after the death of Huss. There were Wycliffites whose piety asserted itself in placarding church doors with articles aspersing the clergy and the pope, or in wreaking outrages on the images of saints. Sometimes the sacramental elements were deliberately insulted, and there is record of a London woman doing penance for teaching her daughter to burlesque the action of the priest at Mass, with dress and tonsure all complete.[3] In 1387 a conspicuous instance of turbulence occurred in London. A convert from the Augustinian friars undertook to lecture at St Christopher's against the religion of the Regulars, and to make dark disclosures of its scandals. Certain Augustinians took up the challenge, and their leader interrupted the preacher with his contradictions. The Lollards in the congregation, not content with expelling the intruders, pursued them to their convent, and a sheriff of London had to intervene to prevent them burning it down. After this, they proceeded to attach their convert's charges to the door of St Paul's, where it was read and copied by many.[1]

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[1] *De Eventibus Angliæ*, col. 2664.

[2] Chaucer's host promptly 'smells a loller in the wind' when the poore persone protests against the shipman's profane ejaculation 'Goddes bones.' It is said that, later on, such oaths were utilized as a test—in connexion perhaps with the Lollards' denial of Transubstantiation.

[3] Capes, *Hist. of Eng. Ch.*, p. 147.

The St Christopher's affair may perhaps have suggested the anti-Lollard measures of 1388. An appeal was now made in both Houses against the schismatic and turbulent character of the new religion, and Richard responded with injunctions to the bishops to use vigorous action. Letters patent were issued for the appointment of visitors in the counties, who were to search for those who maintained 'those wicked and scandalous opinions,' and seize their 'books, treatises and pamphlets.' Whether this policy was of Courtenay's initiating is unknown, but he now appears holding a visitation at Leicester, and securing the persons of certain iconoclast Lollards by laying an interdict on the town. They were absolved and reconciled on condition of a slight public penance.[2]

Whatever their view of Lollardry, there was now unanimity among the laity on the subject of papal usurpations, and on this point Richard's reign spoke as decisively as his grandfather's. Much occurred shortly after the outbreak of the Great Schism to sink the Papacy in men's esteem. The rapacity and recklessness of our pope were such that in 1385 certain cardinals conspired to curb his powers by the device of a commission. Urban seized these foes and cruelly tortured them, even putting some to death. Richard had himself interposed to save the life of Adam Easton, a cardinal of English birth. Clement's cardinals were more fortunate, but equally unedifying was the spectacle of his rewarding their obedience by wholesale fleecings of the Church of France, and when Urban died there was no inducement to press the claims of his rival. The Roman conclave now elected Tomacelli, a young Neapolitan, who, as Boniface IX. (1389) at once adopted new methods of exaction, and became notorious for unabashed venality. To recruit his depleted exchequer, Boniface devised a thirty-three years' jubilee, accompanied by a scandalous sale of plenary indulgences. His agents came boldly offering the same spiritual blessings for gold as for the pilgrimage to Rome, and Courtenay was ordered to swell the proceeds by levying a special subsidy from the clergy. He weakly yielded, and they were only saved by a petition of Parliament on their behalf. To the general sense of the dangers to be apprehended in such a pontificate we may ascribe the brisk renewal of the Edwardian legislation, despite remonstrances from the lords spiritual.[1] In 1390 the Statute of Provisors was renewed, with additional safeguards—forfeiture and banishment being decreed against future transgressors. Next year the great Statute of Mortmain was given a wider scope. In 1393 the Statute of Præmunire was re-enacted, and pointed more directly at the pope. Forfeiture of goods was henceforth the penalty of procuring from Rome any Bulls or instruments affecting the crown or realm.

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[1] Walsingham, *Hist. Angl.*, ii. 157; *cf.* Foxe, *Acts and Monuments*, iii. 201.

[2] *E.g.* William Smith, who had broken up a Saint Catharine for firewood, walked to Sunday Mass in shirt and breeches carrying another image of the insulted saint, and repeated the penance on Saturday in the market place.

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[1] See Appendix, note IV.

Such legislation was scarcely calculated to stem the tide of Lollardry. It continued to swell, and despite occasional exercise of activity,[1] the episcopal attitude seems to have been usually one of extraordinary tolerance. To what length the Lollards thought to push this immunity was seen in 1395, when their representatives in the Commons, headed by Latimer and Story, presented their memorial of eleven 'conclusions.' For the first time in its history the House was invited to determine doctrinal issues. If one conclusion in this manifesto revived the old cry against statesmen-bishops, and two protested against such social abuses as luxury and militarism, no fewer than nine directly invaded the sphere of Convocation, and even traversed the authorized theology of Western Christendom. The sacerdotalism of Rome, 'the stepmother of the English Church,' was contrasted with the 'holy priesthood' recognized by Christ and His Apostles; Wycliffe's view of the Eucharist with 'the pretended miracle of the sacrament of bread' which 'leads almost all men into idolatry.' The memorial exposed the 'shameful evils' consequent on clerical celibacy and women's vows of chastity; the 'necromancy' of official exorcism and benediction of material things; the 'false charity' of special prayers for departed souls, and of pilgrimages, and oblations to 'blind crosses and deaf images of wood and stone.' It connected auricular confession with 'pride of priests and secret conferences, leading to much evil.'

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[1] Here and there, doubtless, turbulent preachers were confined, by virtue of Richard's letters, in the bishop's prisons. Occasionally, too, excessive zeal for the new religion was chastised at Oxford. Courtenay had suspended a Lollard chaplain at Exeter College in 1384, and Arundel, as *ex officio* visitor, once interposed similarly at Queen's.

It was the last open manifesto of Lollard religion, and by far the boldest, for its anti-clerical patrons in the Commons were usually careful to steer clear of doctrinal matters. The memorialists seem to have failed to attract much attention in Parliament. They thereupon posted up their document on the doors of the Abbey and St Paul's. The bishops in dismay despatched Arundel and Braybrooke hastily to Ireland, where the widowed Richard was seeking distraction for his deep grief in active business. Their appeal marks the beginning of a less tolerant religious policy. The king returned in one of his frenzies of passion, vowing to hang all Lollards, and speedily reduced the memorialist knights to submission. Story was compelled to forswear his reforming designs in the royal presence. 'And I swear to you,' responded Richard, 'that if ever you break your oath I will slay you by the foullest death that may be.' No spiritual process against these influential agitators is recorded, but the king did not let the matter drop. Acting under his orders, the chancellor of Oxford now proclaimed the heresy of Wycliffe, expelled certain Lollards, and publicly condemned the *Trialogus*—a work in great demand among the students. Four Nottingham suspects were summoned, too, this year, to the Court of Chancery, and there, in Arundel's presence, swore 'to worship images' and 'no more despise pilgrimages.' The promotion of Arundel to Canterbury in 1396 gave plainer indication of the uncompromising dogmatism which marks the Church's attitude under Henry IV. Arundel, immediately after his installation, convened a synod to deal with Wycliffe's sacramental teachings. The Catholic doctrine of seven sacraments was confirmed, and the Reformer's great heresy condemned. To his old opponent Woodford the Franciscan was now committed the task of a scientific refutation, the result being his tractate 'Against the errors of Wycliffe in the Trialogus.' But the revival of the old quarrel with the Appellants prevented king and primate from further co-operation in this reactionary movement. Though Richard's Westminster epitaph boasts that 'he overthrew the heretics and laid their friends low,' the fitful efforts we have recorded seem to be the measure of his activity on behalf of orthodoxy.

In the events that led on to the revolution of 1399 the new primate of Canterbury was deeply concerned. Thomas Arundel, like Courtenay, was of 'grete blood,' and was second cousin to the future Henry IV. In 1374 his high interest secured him the Bishopric of Ely at the age of 22,[1] by papal provision, though he had no Oxford degree. His brother the Earl was one of the gang of malcontent nobles who in 1387-8 'appealed' Suffolk and the 'favourites,' and sent them to exile or the block. Bishop Thomas had been their spokesman, and received from them the great seal in October 1386. When the 'merciless Parliament' declared Archbishop Neville a traitor, he was elevated from Ely to York (April 1388), the pope being persuaded to remove Neville by a fictitious translation to

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[1] 'Nobilitas generis' is constantly mentioned in the papal dispensations of this time as a justification for such breach of canon law. Similar cases were those of Henry Beaufort and George Neville.

St Andrew's in schismatic Scotland.[1] In May 1389 Richard recovered his position but seemingly forgave the appellants. In September 1391 Arundel was again chancellor, and he retained the office for the next five years without friction with the Crown. It would seem that Richard's mind was permanently unhinged by the loss of his beloved Anne. In 1396 he broached his strange scheme of a marriage with the French child Isabella. The acquiescence of the Arundels was desirable, and to secure this, the unusual step was taken of promoting the northern primate to Canterbury.[2] Arundel united the ill-matched couple at Calais in November, and Richard, who could henceforth count on France as an ally, shortly changed from a sober constitutional king to an extravagant vindictive despot. His first feat was to rake up the old quarrel, and appeal in turn the surviving appellants of 1387. His uncle Gloucester and the earls of Warwick and Arundel were treacherously apprehended, and in September 1397 eight persons of Richard's appointment impeached them in their absence before a packed and coerced Parliament. Bushy, the Speaker, was instructed to demand justice also on Archbishop Arundel, as Gloucester's chancellor and 'privy to all his treasonable deeds.' Richard with feigned amity counselled the primate to await the issue at Lambeth, and telling the Parliament that he had confessed his guilt, pronounced sentence of deprivation and banishment (September 25). Next day his brother the earl was hastily condemned as a traitor and executed on Tower Hill. The exiled primate made his way to Italy only to find Boniface IX. won over by letters from the king, and by a curious coincidence or Richard's whimsical application of the *lex talionis* he too was translated to St Andrews. Richard at the same time secured a Bull, appointing to Canterbury Roger Walden, his treasurer and Dean of York, and Walden, though afterwards pronounced a usurper, was recognized as our primate till September 1399.[1] Arundel took the line of declining the honours of translation, and he appears to have secured a papal promise that in case of his righting himself Roger's elevation would be deemed invalid.

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[1] A memory of the pope's connivance on this occasion is to be seen in the Commons' petition of 1392, which complains that the pope 'translates English prelates out of the realm, without the king's consent or their own consent.' Courtenay's protestation in reply anticipates the clerical qualification to the Præmunire Statute of 1393. 'It is none of his intention to affirm that the Holy Father cannot excommunicate a bishop . . . or make translation of prelates according to the laws of Holy Church, etc.': see Appendix, note IV. Neville really died serving a petty cure in Flanders.

[2] The translation was without precedent. It has been repeated five times since.

Richard's continued despotism and the story of the banishment of Norfolk and Henry Bolingbroke are outside our purview. We notice, however, that to reconcile his uncle Lancaster to the blow at the house of Derby, special favour was shown to Henry Beaufort, his son by Catharine Swynford, who was now thrust into Lincoln at the age of 22.[2] The duke, nevertheless, refused all solace for the other Henry's exile, and died a year later broken hearted. His connexion with the new religion had been little more than an accident of politics, and it was quite broken after Wycliffe's promulgation of his Eucharistic doctrine. His life had been grossly immoral, but such religion as he had was probably centred, like his son's, in the materialistic doctrine of Transubstantiation.[1] From this point events moved rapidly, John of Gaunt's death being immediately followed by Richard's iniquitous confiscation of his duchy, and this by the Lancastrian invasion. In little more than six months Henry of Bolingbroke had realized the ambitions imputed to his father in 1376-7. A leading part was played throughout by Arundel. He had appeared at Paris, disguised as a friar, to concert with his cousin the plan of operations, and he was at his side throughout the almost bloodless revolution which enthroned three generations of the House of Lancaster. On Michaelmas Day, 1399, Richard was in the Tower, executing a formal deed of resignation, in which he owned himself insufficient and useless. He appointed Arundel and Trevennant, Bishop of Hereford, his proctors to present this document in Parliament. The next day witnessed Parliament's acceptance of Henry's claim to the Crown by conquest and by descent, and as 'sent by God to recover his right when the realm was in point to be undone.' The ceremony of his enthronement was accompanied by a discourse from Arundel, the text being 'Vir dominabitur populo.'[2] Finally, on October 13, Arundel officiated at the coronation, assisted by Scrope, Archbishop of York. The chrism was supplied by two vessels given by the Blessed Virgin to St Thomas when he was at Sens, and Becket's own credentials attested her promise that the sovereigns anointed with this sacred unguent should prove true champions of the Church. They had lain in obscurity at Poitiers till the days of Edward III. Discovered by 'a certain holy man,' and given to the Black Prince, they had been overlooked at Richard's coronation; and though he had noticed them among the regalia in the Tower, he had, it was said, vainly implored Arundel to repeat the hallowing rite.[1] The primate now fulfilled the intentions of the donor, and devoted them to the consecration of a sovereign who was 'to execute judgment and do justice on the earth.'[2]

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[1] The date of his consecration is unknown. He received the pall from Wykeham's hands in February 1398 and held a convocation in March.

[2] Bockingham, the actual bishop, was arbitrarily removed to the poorer see of Lichfield.

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[1] 'Time-honoured Lancaster' really died aged 59. Gascoigne relates that his vices had left a terrible legacy of loathsome disease. On his hatred of the Lollards' 'detestable opinions on the sacrament of the altar,' see *Fasc. Ziz.*, 318.

[2] *Rot. Parl.*, iii. 423.

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[1] See Walsingham, *Upodeigma Neustriæ*, p. 388; *Hist. Angl.*, ii. 240.

[2] On October 23rd Arundel put the question what was to be done with Richard. Sentence of perpetual imprisonment was passed on him on the 27th; on the 29th he was removed at midnight from the Tower.

CHAPTER X

HENRY IV AND HENRY V

THE course of ecclesiastical affairs throughout the reign of Henry IV. was guided by Archbishop Arundel, who was also chancellor in the years 1407-9 and 1412-3. He had resumed his place as president of Convocation two days before he crowned King Henry, but to strengthen his position he secured letters patent for his restoration and destroyed the register of Walden's primacy. Boniface IX. readily yielded to the force of facts, professed to have acted under misinformation, and declared his supersession uncanonical.[1] The deposed Walden appears to have retired into privacy till 1405. Arundel then took pity on him and had him made Bishop of London, but he died in the course of the next year.

The change of dynasty, though unacceptable to many religious men of the old school, really inaugurated a closer alliance of Church and Throne, which remained unimpaired till the end of our period. Beneath the many inconsistencies in Henry IV.'s character may be discerned real religious earnestness of the narrowest type, and policy and conviction alike suggested a warmer support of the cause of orthodoxy than had been accorded by the fallen Richard. On October 8 the southern Convocation received at St Paul's his assurance that he would refrain from demanding grants of money, and would take vigorous measures to suppress heresy. Arundel, with his grateful reply, presented a memorial denouncing the activity of the Lollards. One at least of the two royal pledges was to be duly honoured, and it was significant that in the new Parliament Cheyne was kept out of the Speakership at the instance of Arundel and the clergy.[1] Royal instructions were shortly issued to the sheriffs, warning them against preachers whose 'nefarious opinions are repugnant to the canonical doctrines of Holy Church.' In Henry's lenient procedure against the fautors of the recent tyranny no prelate suffered but Merks, Bishop of Carlisle, the confidential adviser of the late king. His temporalities were sequestrated, but he was compensated with a manor and forty marks a year. The wild attempt of Richard's friends to capture Henry himself at Windsor in January 1400 provoked severe measures, and many were now executed. The pope was shortly persuaded to translate Merks to Samosata *in partibus infidelium*.[2]

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[1] Letters for Arundel's restoration were issued October 19 ; *Concilia*, iii. 246 *seq.*

Arundel probably utilized the above-mentioned conspiracy. In Henry's second Parliament (January 1401) Convocation presented a petition against 'illicit conventicles' and 'treasonous books,' as the special fomenters of sedition. Ecclesiastical discipline was said to be powerless to check these dangers to Church and State, as the heretics evaded it by shifting from one diocese to another. The Commons were so impressed that they now petitioned the king that 'those imprisoned for Lollardry should have such judgment as they deserved, as an example to that wicked sect.'[1] The result was that Henry and his Council, with the approval of the House of Lords, framed the Statute *De Hæretico Comburendo,* arming the bishops with terrible powers. Henceforward the person they convicted of heresy was to be handed over to the sheriff or mayor, who was to 'burn him before the people in some public place, in order to strike terror into the minds of others.' The Commons passed the new Statute[2] with a request that it should not be operative till Whitsuntide. Before their dissolution (March 11), and while it still lacked formal confirmation from the Crown, William Sautre was burnt at Smithfield.

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[1] *Rot. Parl.*, iii. 466, 467 ; *Concilia*, iii. 252.

[2] He died rector of Todenham in Gloucestershire.

The *De Hæretico* was an innovation as enlisting the State in the correction of religious error. But the process that now received civil sanction was sufficiently familiar, and had been employed abroad on an extensive scale in the cases of the Albigenses and Templars. The Church's rule had long been that the suspect of heresy should be tried by an ecclesiastical court, and, if convicted, committed to the secular arm to be burnt. Against any affectation of impotency in that quarter she provided such stimulants as excommunications and interdicts, and their efficacy had been evinced in the Albigensian matter by the deposition of the sluggish Raymond of Provence. But England, though conspicuous afterwards as the cradle of strange sects, was throughout the mediæval times unaffected by theological vagaries. The intruding Publicani had found no followers in 1164. The charge of heresy against the Templars was evidently discredited. Throughout our period there had only been a single case of burning. The victim was a deacon who, to win the affections of a Jewess, had renounced Christianity and submitted to circumcision. His immolation in 1222 is shown by Professor Maitland to have been a violation of English common law.[1]

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[1] *Rot. Parl.*, iii. 473.

[2] 2 Henry IV. c. 15, Statutes II. 123. The odium of Richard's tyranny had evidently now impaired the popularity of the new religion. Cheyne and other Lollard knights were not returned for this Parliament. Clifford formally renounced Lollardry in 1402.

The persons most responsible for the new Statute were undoubtedly Arundel and Henry IV. But there is no record of any opposition in Parliament, nor of any sense of horror elsewhere at the barbarity of the sentence. Jealousy of the bishops sufficiently accounts for the Commons' petition of 1406 that the officers of the Crown should make direct inquest for heretics and present them before Parliament—a demand which found favour with Henry apparently but was not accepted by the Lords. A more distinct Lollard sympathy, however, is observable in 1410, and the same knights who then suggested measures of Church disendowment appear to have asked for a modification of the law authorising the summary arrest of heretics and their committal to the bishops' prisons.[2] According to Walsingham, the only answer Henry vouchsafed was to the effect that the law ought to be made even more severe. In the next reign we shall see Lollardry attaching to itself fresh odium as associated with political disaffection; and no reaction on the ground of humanity need be looked for in the ensuing period, marked as it was with growing indifference to the sanctity of life. Nor did the Reformation at first suggest more tender treatment of heresy in England or elsewhere. Protestants showed themselves as ready to vindicate their orthodoxy by the same barbarous methods as Romanists, despite their different definition of the crime. Even in the reign of James I. the sentence of burning was inflicted on Legate the Arian and others. It was not till a third century was on the wane (1677) that the canonical penalty was banished for ever from the English Statute book.

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[1] He was condemned by Archbishop Langton's court at Oseney, and subsequently burnt by Falkes de Bréauté as sheriff of Oxfordshire. This occurred when England was conspicuously under the thraldom of Rome, and Langton had lived mostly in France, where such deference to ecclesiastical law was familiar. Dr Maitland suggests that the subservience of the unprincipled Falkes may have been prompted by desire to palliate his own numerous offences against religion (*Canon Law, etc.*—Essay VI.). It should be added that there is some evidence that the canonical penalty had since been inflicted two or three times in Ireland.

[2] *Rot. Parl.*, iii. 626; Walsingham, *Hist. Angl.*, ii. 283.

William Sautre, chaplain of St Osyth's, Wallbrook, had formerly preached at Lynn against transubstantiation and the efficacy of pilgrimages. He had been brought before the Bishop of Norwich's court, and had recanted. With strange want of judgment he appeared before the Commons on Henry's accession, petitioning for leave to dispute on points of religious doctrine. He was referred to Convocation, with the natural result that he was now Arundel's prisoner. The case was complicated by his previous abjuration, which he had the weakness to deny till it was proved by reference to the Norwich register. He bravely persisted, however, in repudiating Transubstantiation, and was accordingly condemned as a relapsed heretic by the Convocation sitting under Arundel's presidency at St Paul's on February 12. Having been stripped successively of his seven orders (priest, deacon, subdeacon, acolyte, exorcist, reader, sexton), and so reduced to a lay status, he was delivered to the marshal to await the king's pleasure. Though the new Statute was not yet passed, Henry, 'by the advice of the lords spiritual and temporal,' commanded that Sautre should be burnt, 'for detestation of his crimes and the manifest example of other Christians.'[1] This sentence was executed on March 2. That the king was stimulated by Arundel in thus iniquitously forestalling the Statute can hardly be doubted, and the primate's precipitation is probably to be attributed chiefly to that jealousy of secular obtrusion on spiritual causes which has been so often noticed in our story. It is fair to add, however, that a common taunt of the anti-clerical politicians had been the inertness of the prelates in checking the growth of heresy.

By a horrible perversion, the bond of Christian fellowship was henceforth to appear recast as a weapon of destruction, it being determined that the scholastic dogma of Transubstantiation should be the test of orthodoxy. Wycliffe, as we have seen, recognized the virtual presence of the Saviour in the Sacrament, while maintaining that there was no change in the material elements, and impugning the schoolmen's idea of accident existing without subject. However we account for it, Wycliffe had ended his days in peace. When in March 1410 another example was made, the victim was a tailor of Evesham, who held precisely the same view as Wycliffe. One would imagine that William Badby was but ill-equipped for the discussion of such high themes. He appears, however, to have maintained his position with considerable ability. Pronounced heretical by the diocesan court of Worcester, he was brought before Arundel's committee of bishops and lay assessors. He temperately disclaimed the identity of the bread actually consecrated by Christ with the hand that held it, and denied the pretended power of the priesthood to 'make God.' Though on all other points his orthodoxy was unimpeachable, he was consigned by Arundel, as president of the court, to the secular authorities and burnt. The future Henry V. displayed great interest in Badby's trial, and attended at the execution. Misinterpreting the groans of the wretched victim, he had him dragged from the pile when half burnt, vainly urged him to retractation by offer of a free pardon and a pension of three pence a day, and then remitted him to the flames.[1] No other Lollards were burnt under Henry IV. Some—like Purvey, the translator, in March 1402[2]—abjured their heresies and were pardoned after penance. Others, remaining faithful to their convictions, were relegated to the bishops' prisons. Probably few suffragans shared Arundel's desire to utilize the barbarous penalty.

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[1] *Rot. Parl.* iii., 459; *Fœdera*, viii. 178.

Despite the terrors of the Statute, Oxford retained a Lollard complexion, and in 1406 a testimonial to the orthodoxy and innocence of Wycliffe was issued, professing to have the formal sanction of the University.[3] Arundel's response to this disaffection was the provincial synod at Oxford which issued the noted repressive Constitutions of January 1409. Besides a formal condemnation of 267 passages from Wycliffe's works, a strict censorship was now established on the province of theological publication and pronouncement. Preaching was henceforth prohibited save with special licence from the diocesan.[1] No one 'of his own authority' was 'to translate any passage of Holy Scripture into English in a book, booklet, or tract.' Even the reading of the recent Wycliffite translations was forbidden under pain of excommunication, 'until such translation has been approved and allowed by the diocesan of the place, or, if need be, by the provincial council.'

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[1] Walsingham, *H. A.*, *s.a.*, and *Upod. Neustr.*, p. 428.

[2] Purvey was in 1402 given the Vicarage of West Hythe, and his reconciliation perhaps helps to explain the anomaly that his translation was afterwards in use in the Church. He reverted, however, in his later years to some form of Lollardry, and was imprisoned on this account by Chicheley in 1421.

[3] It was afterwards alleged that Peter Payne secured these credentials by some misuse of the University seal. Payne, however, was allowed to be vice-principal of St Edmund's Hall from 1410 to 1415, and his devotion to Lollardry seems to be antedated. He subsequently went to Bohemia, and encouraged the Hussites with assurances that Oxford was permeated with Wycliffism. He represented their cause at the Council of Basle, and survived till 1455.

Arundel probably found that in this matter of the Wycliffite translations he had overrated his powers, and there is ample evidence of their securing a footing informally among the orthodox a generation later. The Constitution may have been effective against Lollard pamphlets and glosses, but the aim doubtless was to stop the general reading of the New Testament, especially the Pauline Epistles, and so to disarm the 'Bible-men.'[2] For such attempts it was twenty years too late. So intolerant, indeed, was the country of the Oxford legislation, that Arundel himself did not dare to face another Parliament as chancellor. The diplomatic Henry bowed before the storm, and replaced him with his own half-brother Thomas Beaufort, a layman, and, as some thought, an ally of the anticlericalists.

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[1] The licence was not required in the case of friars preaching against Lollardry. The evil effects of Arundel's measure will be noticed in Chapter XI.

[2] The same aim doubtless underlies Arundel's complaint to the pope in 1412 of Wycliffe's 'expedient of a new translation in the mother tongue.' Even in 1390 a Bill had been proposed in the Lords for confiscating all vernacular translations found in the hands of the common people. Lancaster's argument on this occasion sufficiently corroborates our view of Wycliffe's enterprise: 'Let us not be the dregs of all nations, seeing that other nations are likewise translating the Word of God into their own languages.' See further, Appendix, note VI.

Even after Badby's immolation, Lollard tendencies maintained their hold at Oxford. The old claim to independence was renewed, and appeal made to a papal Bull of 1395 exempting the University from primatial jurisdiction. Henry's decision, however, quashed this pretext and quelled the academical disturbance—the chancellor being degraded, the University proctors committed to the Tower, and the noisier scholars whipped (1411). A holocaust of heterodox literature was effected at Carfax, and it was ordained that a copy of the 267 damnable excerpts should be conserved in the library of St Mary's Church. Arundel's purgation was of more permanent effect than Courtenay's, and Wycliffism will scarcely be noticeable again at Oxford. The story of retractations was repeated, and among those now reconciled was Richard Fleming, who eventually followed Repyngdon, as Bishop of Lincoln and Oxford's diocesan (1420). Fleming lived to execute the decree of Constance ordering the removal of the great 'leader of heresy' from consecrated ground—a barbarity already suggested by the ruthless Arundel. Respect for his former master probably induced Repyngdon to ignore this mandate, and Fleming himself did not execute it till Martin V. sent a peremptory letter in 1428. The remains at Lutterworth were then exhumed and burnt, and the ashes cast into the little river Swift.

Henry's tenure was throughout precarious and dependent on the Commons,[1] and, besides difficulties with Scotland and France, Wales was from 1401 to 1408 practically under the rule of Owen Glendower. The Welsh war and rebellions caused heavy taxation, from which no class suffered so severely as the clergy. The old murmurings of the anti-clerical party were nevertheless renewed. In the 'unlearned Parliament'[1] of Coventry (1404) certain knights boldly proposed that, to provide funds, the lands in clerical possession should be appropriated for one year. Arundel turned the tables on this party by demonstrating that they had themselves diverted a possible source of revenue by obtaining certain rents of alien priories. 'Even so,' he said, 'if the king were now to comply with your request he would not be a farthing richer.' He thought it necessary, however, to fall on his knees and implore Henry to remember his coronation oath. The king replied that he would sooner sacrifice his life than do anything to injure the Church. In 1410, as we have seen, the Churchmen's cause was disparaged by Arundel's Constitutions. The 'execrable crowd of Lollard knights,' including perhaps the afterwards notorious Oldcastle,[2] now broached an elaborate scheme of disendowment. 'The temporal possessions and lands which by the bishops, abbots, and priors were spent and wasted,' were to be appropriated for increased military expenditure, and the support of the poor. Funds, it was conjectured, would still be left for the maintenance of 40,000 priests, each receiving seven marks a year. When, however, these reformers 'were brought to the test of figures they wanted in their account, and while loving vanity they sought a lie.'[1] The Prince of Wales stoutly resisted the scheme, and the king gave orders that they should not again presume to propose it.

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[1] 'Never before and never again for more than 200 years were the Commons so strong as they were under Henry IV.'—Stubbs' *Const. Hist.*

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[1] So called because the crafty Henry prohibited the election of lawyers, hoping, doubtless, to silence troublesome criticism. Justification, however, was perhaps found in the Commons' petition of 1372, that lawyers should not be eligible, as tempted to use the parliamentary position in the interests of clients.

[2] So Capgrave, *Ill. Henr.*, 121, but his concern in the matter is very doubtful. He was summoned to Parliament as a baron in 1409.

Despite Henry's zeal for orthodoxy, a clerical element is discoverable in most of the rebellions of the reign. The cause of the late king was specially cherished by the friars. Eight of them were hanged in a batch at Tyburn in 1402 for conspiring on behalf of the counterfeit Richard. Others suffered at Lancaster and Bristol, and the Franciscan wardens at Lancaster and Nottingham and the Dominican priors at Winchester and Norwich were imprisoned. More executions followed Percy's defeat at Shrewsbury in 1403, and on this occasion there was reason to suspect certain abbots. Henry's exorbitant fiscal demands doubtless sufficiently explain the growing alienation of the secular clergy. Notwithstanding his promises, a tenth was usually wrung from the Convocations, as against a lay fifteenth; and from 1406 onward it was supplemented by an exaction of a noble (6s. 8d.) from every stipendiary priest. The oppression had already provoked the pious Scrope of York to utilize Northumberland's formidable rebellion of 1405. Scrope issued a manifesto demanding relief for all classes, and especially the clergy, also freedom from royal interference with Parliament.[2] He expounded this document in his minster, and promised indulgences to the clergy and laity whom it brought armed to York. Westmoreland's vilely treacherous capture of Scrope and Mowbray at a parley saved the situation for Henry, and in his subsequent procedure he outraged all principles of justice. Disregarding their right to a trial by their peers, and heedless of the entreaties of Arundel and Gascoigne, he had his two prisoners tried hastily before a small commission, under the presidency of Sir William Fulthorpe, and Fulthorpe hurried them off the same day to execution outside the Skeldergate at York. Scrope, though a papalist, was universally revered, and he died proclaiming himself a martyr in the cause of liberty. Miracles followed his burial in York lady chapel, and, in spite of royal interference, his shrine became a resort of pilgrims, and the northerners long honoured him as a saint. Though the political horizon brightened, this affair seriously damaged Henry's reputation, and the leprosy or eczema which henceforward afflicted him was regarded as a Divine judgment on his crime. He secured reconciliation, however, with Innocent VII., who had threatened excommunications against all concerned, by audaciously pleading that 'his own better judgment had been overruled by the violence of his followers.'[1] Clerical disloyalty was again evidenced in Northumberland's last attempt of 1408, when the Bishop of Bangor, the Prior of Hexham, and the Abbot of Hayles were all implicated. The bishop and prior were imprisoned for a time, and the impenitent Henry did not scruple to hang the abbot.

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[1] See Walsingham, *H. A.*, ii. 482; *U. N.*, 429. The new beneficiaries were to be '15 earls, 1500 knights, 6200 squires, and 100 poorhouses.' The proposal is not mentioned in the Parliamentary Rolls, but is attested by Fabyan.

[2] There is no proof of his complicity in the Percies' aim of 'deposing the perjured king' and enthroning 'the right line.'

Scrope was succeeded by Henry's confidante, Bowet. Bowet's fidelity to the Lancastrian family had nearly cost him his head under Richard II., and he was repeatedly utilized henceforward as our ambassador abroad. The employment of prelates in secular work may now be said to have surmounted all the opposition of canon law, Lollard scrupulosity and lay jealousy. The two great offices were filled usually by bishops—*e.g.* Arundel, Bowet, Stafford, Langley and Bubwith. Only in the periods 1399-1401, 1410-12 was there a lay chancellor. Equally conspicuous was the other familiar abuse—tenure of pluralities. Practically the antipapal Statutes had completely triumphed, and Henry sometimes refused to consider the claims of worthy candidates, simply because they were recommended for elevation by the pope. Rome might keep up the form of Bulls of Provision on appointment: they were stultified by the new bishop's repudiating before installation every expression to the prejudice of the Crown. Our emancipation, however, had not deepened the sense of spiritual responsibilities, nor were our complaints of papal maladministration emphasized by a better example at home. Chicheley, our delegate at Pisa, though afterwards an exemplary prelate, first appears as a mere lawyer engaged in State service, and rewarded with a pile of archdeaconries, prebends, and livings. Similar is the account of Bubwith, afterwards one of our delegates to Constance. Robert Hallam of Salisbury (1407-17) would have been a credit to any age of the Church, but if the papalist manifesto attributed to Scrope is to be credited, Hallam must have contrasted markedly with his brethren. This document declared that there was scarcely a bishop who did not dispose of patronage by simoniacal contract, that benefices were given to young illiterates, that the universities were being ruined through neglect to encourage learning. It, of course, connects these abuses with the

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[1] The story that he sent Scrope's armour with the message 'See now if this be thy son's coat or no,' and that the pope solaced himself with the context 'An evil beast hath devoured him,' is borrowed from a similar episode abroad.

'nefarious statutes' abolishing the pope's power to present to bishoprics. Certainly the royal example was ill-calculated to impress men with any sense of the impiety of the Lollard confiscatory schemes. In 1408, though there was now no danger from France, Henry appropriated for his household expenses all the revenues of the alien priories. A more startling procedure was his claiming at the same time the incomes of all vacant bishoprics and abbeys. Delays in filling up the high places of the Church were the inevitable consequence. Both appropriations were said to be effected by the advice of the king's council.

The first half of the fifteenth century is memorable for its revival of free Œcumenical Councils, suggested primarily by the disgraceful prolongation of the schism, but associated with an aim of reforming abuses, specially those connected with papal absolutism. The three famous Councils—Pisa, Constance, Basle—belong respectively to the reigns of our three Lancastrian kings, and in the two first England played a part of considerable importance. The story of Pisa (1409) runs briefly thus. The aged Venetian, Gregory XII., had been elected (November 1406) after giving a solemn promise to treat with Benedict XIII. of Avignon, and to resign, if necessary for the restoration of unity. The antipope had himself given a similar promise on his elevation in 1394; and his evasion of it had given deep umbrage in France, and been specially resented by the University of Paris. The promise on the Roman side stimulated Charles VII. to active measures, but all negotiations were obstructed by the obvious determination of each pontiff to retain his seat. Resort was had to the two colleges of cardinals, which at last, braving the anathemas of their respective heads, consented to convene jointly a General Council at which both popes should be induced to resign. The summons to Pisa (March 1409) was honoured by almost all countries save Spain, Scotland and Scandinavia; and, besides the 180 bishops who responded in person or by proxy, four eastern patriarchs attended.[1] The Council voted both popes contumacious and perjured: its doctors of theology gave judgment that they might be excommunicated and deprived. This sentence was pronounced by the Patriarch of Alexandria, the Frenchman Simon de Cramault; and the first phase of the great constitutional struggle closed with the election of a new pope by a conclave of both colleges.[2] Their choice fell on the irreproachable Franciscan, Peter Philargi of Milan, and he was enthroned forthwith as Alexander V.

France and the Paris theologians played the leading part in this reassertion of constitutional principles. England, however, had readily accepted the device of a free Council. A deputation of cardinals had been entertained here at the public expense; and its request that no papal dues should be paid till the Church had an undisputed head was accepted by Arundel's synod at St Paul's, and by the king and parliament. Our deputation to Pisa included Bishops Hallam, Strickland and Chicheley. The priors of Christ Church, Canterbury and of Jervaulx also attended, and proctors represented the sees of Canterbury, York, London and Winchester, and the Universities. Hallam was already recognized as a leader of the orthodox reforming party

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[1] The would-be emperor Robert alone protested against the Council's self-constituted authority. Even Spain sent one or two bishops.

[2] Ten cardinals of Benedict's obedience and fourteen of Gregory's joined in this election. Alexander's legitimacy is undisputed, but Pisa finds no place in the Roman enumeration of Councils.

—men who hoped to secure a purgation of the Church from within, beginning with St Peter's chair. His learning had secured him the chancellorship of Oxford, and Innocent VII. had done his best to make him Scrope's successor at York.[1] The English contingent was received at Pisa with peculiar honour, in deference to the legend of the conversion of our island by Joseph of Arimathæa. Hallam preached before the Council, pressing the necessity of reunion, and doubtless used all his influence to secure the deposition of the rival pontiffs.

An important principle was established at Pisa, but the hopes of such men as Gerson and Hallam were completely disappointed. Though Alexander V. had promised reforms, his activity was only shown in efforts to rehabilitate the friars. He invested the four orders with ubiquitous powers to hear confessions. He ordered the Bull to this effect to be read by all incumbents. Amid the loud protests against this reactionary policy the two ex-popes began to lift up their heads. Worse still was the condition of the Church after Alexander's death in 1410, for the coercion of Louis of Anjou, or some extraordinary infatuation, now induced the Roman conclave to elevate Balthasar Cossa, the piratical tyrant of Bologna. Three popes were, in fact, afield when Henry died in March 1413, and all of tarnished reputation. The appeal to Councils had only arrayed against the perjured Gregory and Benedict a John XXIII., defamed by charges of sanguinary cruelties, avarice and unbridled lust.

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[1] Henry's jealousy prevented this, but Hallam was consoled with Salisbury. In the letter giving him the temporalities he is described as 'late archbishop of York.' It is curious that this champion of constitutionalism was twice selected as the subject of papal favours—John XXIII. offering him a cardinalate in June 1411.

The chief feature in the insular story under Henry V. (March 1413-August 1422) is the complete effacement of all Lollard influences. Henry IV., despite his zeal for orthodoxy, had not scrupled latterly to employ such men as Cheyne, Savage and Oldcastle in affairs of State. The new king had been recently diverted from youthful follies by a deep sense of his religious responsibilities, and had early learnt to regard theological aberration from the standpoint of a bigot. He made no secret of his resolve to extirpate Lollardry in high places. That this aim was attained was largely due to the conspiracy and petty disturbances that followed the attempt to deal with Oldcastle. The supposed predilection of the Lollards for treasonable designs lost them their hold, alike on the upper and the middle classes. No more will be heard of those anticlerical schemes in the Commons which have been so often exemplified since 1371.

Sir John Oldcastle, who sat among the Lords as representing his wife's barony of Cobham, had won distinction as a soldier, and his services had been used in our co-operation with Burgundy against the Orleanists in 1411. A pronounced sympathizer with Lollardry, he had gone so far as to make his castle at Cowling the centre of a preaching mission, which, protected by his armed retainers, permeated the dioceses of Rochester and London, and his native county, Hereford. Arundel complained on this subject to the new king, who, after vainly endeavouring to 'bring Sir John back to the unity of the Church,' sanctioned his arrest. He appeared before the primate and two other prelates for examination in September 1413, and was confronted—like Badby—with the crucial doctrine of Transubstantiation. Though a soldier, Oldcastle was a man of considerable learning, and had studied Aristotle and the Fathers. Against Transubstantiation he maintained the view of Wycliffe. Arundel, not satisfied with his prisoner's belief that 'the most worshipful sacrament of the altar is Christ's body in the form of bread,' sent him back to the Tower. Examined later on the doctrine of the 'power of the keys,' Sir John fairly lost his temper, and at last declared his conviction that 'the pope was the head of the great antichrist, the bishops, priests, and monks his body, and the begging friars his tail.'[1] The result was that Arundel 'left him as a heretic to the secular judgment,' and he was sentenced to be burnt on November 4 should he not recant. Friendly hands contrived his escape from the Tower before the fatal day, and he is next heard of as the secret instigator of the Lollard insurrection of January 7, 1414. The king was informed that the Lollards had fixed a night to assemble in St Giles Fields, invade London, depose him from the throne and destroy palaces and churches. An enterprise that might have repeated the feats of 1381 was frustrated by his own promptitude and strategy. Keeping the information secret, he quietly collected forces, closed the city gates on the appointed night, and surprised the assembled Lollards before they had time to strike a blow. The prisoners appear to have been largely from the midlands, and among them were a few persons of good position. Thirty-seven priests and laymen were hanged next day, the bodies of seven being afterwards burnt, as those of heretics. But rewards were vainly offered for the apprehension of Oldcastle, who found refuge in Hereford and Wales, and gave some trouble for the next three years with raids and petty insurrections.[1] He was at last surprised in the Welsh marches by Lord Charlton of Powys, and wounded, and was brought to London to be exhibited before Parliament (December 1417). He is said to have first appealed for mercy, and then broken out into denunciation of the Lancastrian dynasty and assertions of the pseudo-Richard's claims to the throne. By Bedford's orders he was hanged at Smithfield, and his body burnt.

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[1] Arundel, *Processus Magnus*, *Fasc. Ziz.*, 433; *cf.* Walsingham, *H.A.* ii. 291-297.

The St Giles' affair caused a panic highly favourable to the king's policy, and when Parliament met at Leicester, in April 1414, his uncle, Bishop Beaufort, the chancellor, opened the session with a speech advocating more stringent dealings with the heretics. It was now agreed to supplement the *De Hæretico* with an Act empowering justices and sheriffs to deal directly with suspected persons without episcopal intervention. Trial in the spiritual court was to follow, and the convicted heretic, besides being burnt, was to forfeit all his lands and chattels to the Crown. There was no wish, however, to use this Act vindictively, and proclamations were issued in May offering pardons to certain fugitive Lollards on condition of personal application.[2]

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[1] Mr Oman notices that when invading Worcestershire he displayed the standard afterwards adopted by the Hussites in Bohemia—a golden chalice on a red field. Bedford exhibited it in London as a trophy on the occasion of Henry's triumphant return (November 1415).

[2] Their professions are stated, and Hook observes that 'there were as many clergymen as goldsmiths, plumbers, fleshers, coopers, weavers, hosiers, and honey-mongers.'

Arundel died in February, and had no concern in this legislation. His successor was Henry Chicheley, who for the last two years had forsaken secular business, and was drawn reluctantly from his diocese of St David's. He did not sit as Archbishop in the Leicester Parliament, and Hall's story of his suggesting the French war to distract the attention of a Lollard House of Commons is quite baseless, notwithstanding its appropriation by Shakespeare. The fiction may have been suggested by the actual effects of this enterprise in diverting restless spirits from the Lollard propaganda. The French claim and its extraordinary success evoked universal enthusiasm, and despite his reserved demeanour and stern pietism few kings have surpassed Henry V. in popularity. Chicheley, it may be added, abetted the national cause with patriotic and somewhat unclerical zeal. He did not resist the important measure of 1414 which dissolved and appropriated the long jeopardized alien priories, nor the diversion of Peter's pence from the pope to meet the cost of the campaign. He actively encouraged the arraying of the clerical militia now summoned by proclamation,[1] to assist England's defence during the king's absence abroad. His gratitude for Agincourt was evinced by his making St George's festival a greater double, and paying like honours to St Crispin, St Crispinian and St John of Beverley. Against any recrudescence of Lollardry during the king's absence, Chicheley provided a new safeguard in the odious form of a system of delation. Twice every year, according to his Constitutions of 1416, the bishops were to search in every rural deanery for suspects. Men of good report were to be appointed in every parish to denounce them, with power to seize questionable literature. Wycliffe's teachings had now, it must be remembered, been branded by the sentence of a General Council. Menaced with awful civil penalties, exposed to Christendom as a heresy, and disparaged by its connexion with unpatriotic designs, Lollardry stagnated henceforward. John Claydon, a currier of London, was burnt in August 1415 as a lapsed heretic, but no other application of the extreme penalty is recorded save the immolation of William Taillour, the Lollard priest, in 1422, after a public degradation at St Paul's. Some twenty-five persons are said by Foxe to have recanted or been imprisoned by the bishops.

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[1] May 28, 1415. See *Fœdera*, ix. 253.

Our attention must now be directed to the second episode in the great constitutional struggle of the Western Church. No small concern had England in the Council of Constance, forced on John XXIII. by Sigismund with the threefold purpose of suppressing the Hussite heresy, extinguishing the still smouldering papal Schism and effecting ecclesiastical reforms. In the vast assemblage that honoured this citation our Church was at first[1] represented by Bishops Hallam, Bubwith, Mascall and Nicolls, the Abbot of Westminster and the Prior of Worcester. Two canons came on Chicheley's behalf; Warwick, Fitzhugh and other laymen represented the English king. The Council was opened by John (November 5, 1414), and devoted its immediate attention to the Lollard heresy. In May 1415 it condemned 206 articles attributed to Wycliffe as 'heretical, erroneous, or scandalous,' and decreed that his writings should be burnt and his remains expelled from consecrated ground. Its subsequent atrocious dealings with Huss and Jerome need not be recounted. We note, however, that Huss was ostensibly condemned as endorsing Wycliffe's doctrine of Dominion, and that both disowned his sacramental tenets.[1] The only recorded remonstrance against the vindictive spirit of the Council was made by Hallam. Once at least he appealed to the text 'God willeth not the death of a sinner, but rather that he should be converted and live.'

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[1] January 1415. After Hallam's death the members of the delegations were increased. Besides Beaufort, the bishops of London, Lichfield and Norwich joined the Council; also the University chancellors and twelve doctors.

Despite its treatment of the two heretics, the Council of Constance had already so far recognized the truths underlying Wycliffe's strange aphorisms as to dethrone a legitimate pope. In February 1415 the scandalous charges against John XXIII. were being investigated. He made an insidious offer to resign should his rivals do so too, and this not availing, fled disguised to Schaafhausen and drew off certain cardinals. The sessions were nevertheless continued. In April it was decided, in spite of much Italian opposition, that 'all men, even the pope, are bound to obey the Council,' and that 'the Council has received from Jesus Christ power . . . for the reformation of the Church in its head and in its members.' John was brought back to Constance and again given an opportunity for defence. He preferred to accept the conciliar decision, and was deposed from St Peter's chair as unworthy and harmful (May 29). The Council had succeeded in pushing the Pisan principle one step further.

It remained to give that principle permanency. How Hallam's party interpreted the Church's need may be gathered from the gravamen drawn up by the University of Oxford at the king's request a little earlier. This document exposed from the orthodox standpoint the chief corruptions of the Church, and pointedly connected them with the example of the Papacy. It dealt with the hawkings of Indulgences by the agents of Rome, and the hampering of pastoral work by her appropriations, grants of benefices *in commendam* and tolerance of pluralities. It complained of the encouragement given to disorder and vice by the exemption of the Regulars from episcopal control. It connected with the existing system a general prevalence of simony and nepotism.

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[1] See Milman, Bk. XIII., ch. ix.

That the Council missed the golden opportunity for purging the Papacy of these corruptions was chiefly due to our war with France, whose divines, Gerson and d'Ailly, had hitherto headed the demand for reformation. In October 1415 occurred our victory at Agincourt; in August 1416 Sigismund himself was in England concluding a treaty against France with Henry V. United action on the part of the reformers was precluded by this undercurrent of national hostility. An irritating debate on Jean Petit's justification of Burgundy's foul murder of Louis of Orleans in 1407 increased the tension, and it found a new expression when Spain was won to the Council in the autumn. Only four 'nations' had as yet been recognized at Constance. The French impudently endeavoured to fuse England with Germany rather than accept the principle of five nations.

In January 1417 Sigismund was again at Constance. The pretender Benedict, who had declined to imitate Gregory XII.'s voluntary abdication of his claims, was now declared contumacious and deposed, and, all three pontiffs being disposed of, the way seemed open for reforming measures under the imperial presidency. To the Italians, however, reform was an unpalatable subject. They pressed the necessity of first electing a pope, and the French jealousy of England and Germany drew off even Gerson and D'Ailly to the Italian side. Of momentous consequence in the decision of this issue was the death of Hallam (September 7), who had played a leading part at Constance, and had strongly abetted Sigismund's demand for prompt dealing with the curial abuses. The English policy was henceforward dictated by the king's uncle, Bishop Beaufort. In a few weeks all the resistance to the Italians collapsed.

Henry Beaufort appears in this and the following reign as a wise statesman of great financial ability, ambitious, but intensely patriotic, and ever ready to assist our French pretentions with his great wealth. Lax though he may have been in earlier life,[1] Shakespeare's malignant and unprincipled cardinal has no counterpart in actual history, and the sincerity of his convictions is sufficiently attested by his self-expatriation and devotion to the cause of the Hussite crusade. He may be safely regarded as nothing worse than an earnest, intriguing reactionist, convinced that Lollardry was the one crying danger of Christendom, and that it could only be combated by a restoration of vigour to the Papacy. Beaufort resigned the English chancellorship suddenly in July. In October he appeared at Constance, uniting to the lustre of his high birth the *éclat* of a contemplated pilgrimage to Jerusalem. It is probable that he could appeal, too, to instructions on the part of Henry V., who had followed the

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[1] He had a daughter by Lady Alice Fitzalan, Archbishop Arundel's sister, whom presumably he privately married before his consecration.

Council's procedure with interest, and who, despite his alliance with Sigismund, was doubtless averse to any high-handed impairment of the papal dignity. Beaufort became practically the arbitrator in the momentous issue, and strongly advocated the election of a pope. All that the constitutional party secured was the appointment of thirty nominees (six for each nation) to co-operate with the cardinals in this business, and a promise that measures of reform should be pursued directly afterwards. On St Martin's Day, 1417, this mixed conclave announced its decision. The cardinal-deacon, Oddo Colonna, was the elected pope. The Reformation was postponed for another hundred years.

Martin V., the only pontiff of the great Ghibelline family of Rome, may be said to have atoned to the Papacy for the part played by Sciarra Colonna in 1305. Though he had followed John XXIII. in his flight to Schaafhausen, he was really not the candidate most favoured by the Italians. His future policy was so unsuspected by our delegates that he united all the English suffrages.[1] Its trend was speedily revealed. The new pope at once assumed his superiority to the General Council, and on the day after his election published a Brief confirming all regulations of his predecessors—even those of John XXIII. In February 1418 the points in the papal system most odious to the reformers—Reservations, Expectancies, Commendams, Annates, and Indulgences—all received from Martin V. an emphatic authorization. To the reformers' appeals

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[1] Gascoigne attributes Martin's elevation to Beaufort's intrigues: 'Alius bonus doctor de Francia electus fuisset, nisi fraus et labor episcopi tunc Wintoniensis Henrici Beaufort impedivisset.'—*Loci e libro Veritatum*, p. 155.

Sigismund could reasonably reply, 'I had power before a pope was elected: now I have none.' The sessions dragged on after this till Whitsuntide under Martin's presidency, but the constitutionalist party secured nothing beyond a promise that General Councils should be held every five years. Each nation was really left to effect its own concordat with the pope. The Parliament of Paris rejected Martin's petty concessions, and for a time protected the French Church from papal exactions for Provisions, Vacancies, and Annates. England, on the other hand, relying on her antipapal Statutes, and rashly committing her interests to Beaufort, bade fair to be thoroughly exploited. The pope ignored the subject of abuses, but ceded it as a favour that Englishmen should be eligible for offices in the Roman Court. No better arrangement could have been devised for re-establishing the old encroachments and silencing all clamour for reform.

With the closing of the Schism and the failure of the constitutionalists at this Council, we enter on a new era in England's papal relations; and St Peter's chair, if not morally rehabilitated, will henceforth appear invested with a pale reflexion of the lustre of the Hildebrandine age. The necessity of impressing England with a deeper sense of dutifulness to Rome was at once perceived by the crafty Martin. To effect this, he contemplated a reversion to the old practice of securing a foothold for the papal legates. Our fourteenth-century legislation had, however, made it impossible to obtrude foreign legates on England as in the days of Henry III. The obvious alternative was to find in the national Church the requisite material. Archbishop Chicheley had given but little promise of being a serviceable tool. To Beaufort, on the other hand, the Papacy largely owed its recent escape from the pruning-knife of the reformers. Martin accordingly proposed to repeat the tactics of Innocent II. in the days of Stephen with curious exactitude. The English primate's long recognized prerogatives as papal ordinary and titular legate were to be ignored, and the pope was to be represented directly by another Henry of Winchester.

As early as November 1417 Martin suggested to Henry V. that his uncle should be appointed cardinal and papal legate, retaining his see of Winchester *in commendam*. Chicheley, however, was apprized of the intended abatement of his dignity, and wrote imploring the king's refusal. He showed that appointments of legates in times past had been exceptional, and 'for some great and notable cause.' He prognosticated aggressions—'for what power the legate may have in special of the pope's grace no man can wot.' Henry V. desired no legate, and bluntly told his uncle he would as soon see him invested with the crown as the red hat. Nevertheless his reverence for the Papacy or his absorption abroad completely reversed his father's policy in the matter of ecclesiastical appointments. Martin had a free hand with the bishoprics. As many as thirteen were filled by Provision within the next few years. Royal connivance, however, was, Martin felt, a very different thing from statutory indemnification. In 1421 he wrote suggesting an abrogation of those formidable obstacles to the new policy, the Provisors and Præmunire Acts. Apparently he received no answer. A new opening offered itself next year, when death removed the mighty conqueror of France and the sceptre passed nominally to a baby nine months old.

A genuine if sudden conversion[1] had changed Henry V. from a frivolous, hot-headed prince to a chaste, abstemious, narrow-minded, ruthless king, who was regarded while living as the mirror of Christian knighthood, and of whom his eulogist could justly say that 'all his intent had been to lyff virtuously in meyntenynge of holy church.' His detestation of Lollardry had the excuse of a consistent piety lacking in his father's case. Repeatedly too, and to his last breath, he connected his preposterous French claim and sanguinary wars with the interests of religion. His appropriation of the alien priories noticed above is not inconsistent with this portraiture, despite the precedent it established for the dealings of his unscrupulous Tudor namesake. Not only had it long been recognized that these foreign outposts were a real source of danger during hostilities with France, but against the Dissolution must be set—as Gasquet shows—a scheme for diverting all the appropriated endowments to pious objects of less exceptionable kind.[2] A large part was bestowed on other monasteries, including the king's new foundations, and the rest was devoted in the next reign to educational foundations. Challenged on this subject, our ambassador at Basle stated that Pope Martin himself had sanctioned the diversion of the confiscated property to religious houses, colleges, and other pious purposes. Not only had this been effected, but compensation had been paid to the foreign impropriators too. As a founder, the sympathy of Henry V. was extended, as might be expected, to monastic Orders of the severest type and least blemished reputation. He established and endowed a Carthusian house at Sheen, also the celebrated Sion houses at Isleworth for monks and nuns of the Order of St Bridget.[1] He was a liberal benefactor, too, to Westminster, and shortly before his death he summoned there the abbots of great houses to discuss the possibility of monastic reform.

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[1] See, on this subject, Walsingham, ii. 290; Capgrave, *Chron.*, p. 303; Fabyan, p. 577.

[2] King John had set the first example of attacking the revenues of the alien priories. It was repeated by Edward III., Richard II., and Henry IV. The houses dissolved in 1414 numbered one hundred and forty, thirty-eight being Cluniac, the remainder Benedictine.

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[1] Walsingham also mentions a foundation for Celestines 'bound to perpetual seclusion' as begun in 1414.

CHAPTER XI

HENRY VI TO HENRY VII

THE sixty-three years covered by this chapter witnessed no ebbing in the tide of papal rehabilitation, no new religious movements, and only one Statute (and that in Roman interests) on the relations of Church and State. The Council of Basle, 1431-49, found little sympathy in England, and its failure proclaimed again the futility of the constitutionalist programme and the impossibility of securing reforms from within. Thenceforward it is a period of unbroken stagnation. For our purpose, indeed, there are few more important events in all these years than Beaufort's appointment as cardinal legate in 1426, and his indemnification by the above-mentioned Statute in 1432. Beaufort's achievements really demolished all lingering ideas of Anglican independence. The result was a succession of home-grown cardinals which lasted till the downfall of Wolsey.

On the death of Henry V. Martin again turned his attention to our anti-papal Statutes, and wrote to the Council asking for their repeal. No effect being produced, he deliberately picked a quarrel with Chicheley as a conniver at this impious legislation.[1] The primate received in 1423 an insolent rebuke for a recent issue of the usual indulgences for pilgrimages to Canterbury. The pope compared England's pride in the national sanctuary to that of the fallen angels, who desired 'to set up on earth their seat against the Creator.' A letter addressed to the 'venerable brothers York and Canterbury' (not Canterbury and York) rated the English hierarchy for habitual disregard of the pope's provisions to benefices. Whatever the English law, submission to his claims was the paramount duty. Renewed disobedience would be punished with excommunication and deprivation of the patronage. Chicheley's timid reply, asserting his 'Abel-like innocence' and loyalty to Rome, only elicited another withering rebuke. His fealty must be vindicated by deeds not words. 'Labour, therefore, with all your might, that the execrable Statute against the Church's liberties be repealed, and neither observe it yourself nor let it be observed by others.'

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[1] For the correspondence with Chicheley see Wilkins' *Concilia*, iii. 471 *seq.*

Meanwhile England's strength was being sapped by the dissensions in the Council representing the infant king. In 1424 Beaufort received the great seal. Between him and Gloucester there subsisted an implacable animosity. It found public expression in the absurd attempt of the nephew to charge the chancellor with treason in the 'Parliament of Bats' (February 1426). This attack, so far from benefiting the anti-papal party, ensured the success of Martin's scheme for Beaufort's elevation. Acting with remarkable tact and temper, Beaufort bowed before the storm, cleared himself, resigned the chancellorship, and emerged with unblemished reputation and a claim to solace. His other nephew, Bedford, the great soldier and French regent, had been brought over to England by this phase of the family quarrel, and the two left England together. As a compensation for the abandoned seal, Bedford sanctioned Beaufort's acceptance of the long-coveted red hat, and with this authority he was nominated at

Rome cardinal-priest and papal legate (May 1426). The latter appointment was adroitly connected with the call to suppress the insurrection of the Hussites. For the next two years, therefore, Beaufort was abroad, acting with the emperor's sanction as the apostle of this crusade, and gallantly but unsuccessfully pitting his own religious zeal against that of the Utraquist priest-general Procopius. Paying England a visit in September 1428 he experienced much heckling on Gloucester's part, but was allowed by the Council to enlist an English force, fuller recognition of his legatine capacity being left for future decision. Next year Beaufort shocked Martin, but considerably increased his popularity at home, by allowing his men to serve for a time with Bedford in France. The death of Martin (February 1431) ended his legation and connexion with the crusade, and he now devoted himself entirely to our French affairs, taking a leading part in the judicial murder of Jeanne d'Arc[1] in May, and conducting the coronation of Henry VI. at Paris in December. At home, however, Gloucester still did his best to fan the flame of anti-papal sentiment; and when Beaufort finally returned in 1432, he found himself faced by a præmunire[2] for accepting papal offices without the Council's consent, and by a scheme for depriving him of Winchester. But the popularity of

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[1] The only other English prelate concerned in this crime was Bishop Alnwick, the persecutor of the Norwich Lollards. Its guilt attaches chiefly to Bedford and Pierre Cauchon, Bishop of Beauvais.

[2] Chicheley was persuaded to attach his name to this writ. It was no *brutum fulmen*. Valuable jewels belonging to Beaufort were seized at Sandwich, and only redeemed by a pecuniary deposit retained till his indemnification. Certain other bishops abetted the attack on Beaufort. It was averred that some desired personal advancement to the great see of Winchester.

'good duke Humphrey' was now waning, and the cardinal, by a seasonable contribution to the war expenses and a spirited demand to vindicate his honour in Parliament, emerged triumphant (May 1432). On the petition of the Commons, a Statute was passed exonerating him from all penalties for accepting papal offices and executing Bulls in England.[1] The Lords had agreed in December 1429 that he should keep his place on the Council, for all business not relating to the Holy See.

We must now revert to the story of Martin's dealings with Archbishop Chicheley. Gloucester—whatever his motives—had not misconstrued the significance of his uncle's elevation. In the spring of 1427 a Bull had come, not only suspending Chicheley from his duties as legate *ex officio*, but depriving him of all jurisdiction over cathedral dignities.[2] Tidings of its contents had preceded it, however, and Gloucester, who now claimed the title Protector, told Chicheley to send it him unopened, as derogatory to the dignity of the Crown.[3] The pope shortly received a formal intimation that his messenger had been apprehended and menaced with heavy penalties should he offend again. Chicheley himself ventured to write to Martin, citing his right to appeal to a General Council against the invasion of his primatial prerogatives. But he was at pains to renew his assertions of loyalty to Rome, and he weakly secured attestations to his own integrity and pastoral activity from his University and certain lay peers. Probably the Bull was regarded as ineffective,[4] for Martin now vents his spleen on Chicheley as a

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[1] *Rot. Parl.*, iv. 392; see Rymer, x. 516.

[2] Wilkins' *Concilia*, iii. 484, 5. [3] *Ib.* 486.

See Stubbs' *Const. Hist.*, iii. 301.

'dumb dog that cannot bark,' 'a coward who heedlessly tolerates insults to the Apostolic See.' 'Viper-like penalties are promulgated against the Roman clergy, such as are not promulgated even against Jews and Saracens.' It is as if the superintendence of the English Church had been granted by Christ to the English king and not to Peter. In another letter Chicheley is taxed with wickedly attributing the assault on the Statutes to sordid mercenary aims. Martin, who was really notorious for his avarice, and who about this time made his boy-nephew Prospero archdeacon of Canterbury,[1] attempts a *tu quoque* retort on the munificent founder of All Souls'.

Such was the pressure to which Chicheley succumbed in 1428. He appeared before the Commons accompanied by eight spiritual peers.[2] He declaimed from the text 'Render unto Cæsar,' and depicting the horrors of a possible interdict, tearfully implored a repeal of the Provisors' Acts. Fortunately in the present House Gloucester's party preponderated. It compassionated the aged primate, but would none of his proposals. It voted that envoys should be sent to remove the pope's prejudices. It even affirmed that an insult had been offered to the Church of Canterbury 'which we be all holden to worship and sustain as much as in us is.'[3]

But though the execrable Statutes survived, the pope's insistence had really succeeded in breaking a long tradition of insular independence. The sympathies of Gloucester's political opponents were naturally enlisted on the papal side, and with the indemnification of Beaufort in 1432 there passed away England's old intolerance of resident cardinals and legates. In 1440 Kemp, too, was made a cardinal, and Parliament not only permitted him to retain York and all other preferments he held abroad, but thanked Eugenius for the honour done to England. Precedence was not allowed him in the House of Lords, but an appeal to Rome gave him elsewhere superior rank to Chicheley.

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[1] A little later Prospero was appointed a cardinal at the age of eighteen. Eugenius IV. made him disgorge our lucrative archdeaconry, but allowed him to hold two other English benefices *in commendam* to the value of £100.

[2] Archbishop Kemp, the Bishops of London, Ely, Bath and Wells, Norwich, and St David's, the Abbots of Westminster and Reading.

[3] *Rot. Parl.*, iv. 322; *Acts of Privy Council*, iii. 301.

Chicheley lived on to his eightieth year—only the third English ecclesiastical dignitary, but reconciled to the new papal policy and at peace with its partisans. In 1442 he wrote to Eugenius resigning office on the score of old age, and petitioning for the translation of Stafford, a prelate of Beaufort's party. Henry VI. made request to the same effect, but before the Bull sanctioning Stafford's promotion reached England death vacated the primatial chair. That it had lost much of its ancient dignity seems undeniable. Indeed, it is difficult to identify the Chicheley of 1428-42 with the strong prelate of the reign preceding, who withheld Peter's-pence, claimed a metropolitan's authority over the conquered provinces of France, and superseded the French diocesan courts with judges of his own appointment. It may be conjectured that the influence of his official, William Lyndwood, the celebrated canonist, played some part in our primate's emasculation. Strikingly at variance with the Constance doctrine of the relations of popes and councils is the language of this mouthpiece of curial pretentions. Lyndwood's gloss affects complete nescience of all the constitutional action that had so recently made and unmade pontiffs. It boldly asserts that no General Council can be summoned without the authority of the Apostolic See. The pope is above all law, and superior to a General Council. Every papal constitution is binding two months afterwards, even on those who are ignorant of it.[1]

Beaufort survived till 1445. His influence may be detected in the indifference of England to the Council of Basle, and it was not without reason that he was repeatedly charged with sacrificing our Church's interests to those of Rome. In politics, however, he is to be credited with a patriotism and far-sightedness to which his unscrupulous nephew has no claim. As early as 1435 the failure of the negotiations at Arras, the death of Bedford, and the reconciliation of Philip of Burgundy with France, prognosticated the disastrous issue of our war. Beaufort, though ever ready to subsidize fresh efforts, appears henceforth labouring to secure an honourable peace, and ever hampered by Duke Humphrey's malice. The celebrated trial of the Duchess Eleanor for witchcraft in 1441 perhaps stands outside this personal quarrel, and the cardinal is certainly to be acquitted of concern in Gloucester's arrest and sudden end at Edmundsbury (February 1445). He had now retired from political life, and seven weeks later a peaceful death terminated his own long tenure of Winchester. His pastoral duties had sat lightly on him, and till 1441 he committed his see to the care of a bishop *in partibus*. He spent much of his great wealth, however, on the completion of the cathedral, and—as if to emulate his prototype Henry of Blois—established at St Cross the endowed asylum for 'noble poverty' still existent.

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[1] See Maitland, *Canon Law*, etc., Essay I. Lyndwood's gloss on the provincial constitutions was finished, it must be remembered, about 1430, and before the opening of the Council of Basle.

The long struggle of the Council of Basle, 1431-1449, must be excluded from these pages. Briefly, the story is one of renewed conciliar effort to end the Bohemian difficulty and reform abuses, successfully countered by the craft and absolutism of Eugenius IV. The turning-point was the death of the Emperor Sigismund (December 1437). The Basleites under the presidency of the rash French cardinal D'Allemand, despite many defections, pushed the conflict to extremes, pronounced Eugenius deposed and chose an antipope.[1] Against these impolitic foes Eugenius IV. cleverly played off his own Council of Ferrara-Florence, where he coerced the submission of the patriarch and prelates sent by John Palæologus in view of his own obsession by the Ottoman Turks (May 1439). The achievement—still commemorated on the doors of St Peter's—was really as unsubstantial as that of Gregory X. in 1274, but it considerably increased the papal prestige. The northern Council dragged on ostensibly for another decade, but its end was depletion and capitulation to Nicholas V. on honourable terms. Save for its influence on the French Pragmatic Sanction of 1438, it had effected nothing but a needless schism, and with it passed away all hope of enforcing curial reforms.

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[1] The monk-duke Amadeus of Savoy was given the title Felix V. (November 1439), and was recognized by the empress-dowager and the dukes of Bavaria and Austria, also by the University of Paris (though not by the French Church) and by several German Universities. Nicholas V. in 1449 allowed him to descend to the position of senior cardinal. He is the last antipope.

It cannot be said that the successes of Martin and Eugenius did anything to check the growing moral depravity of this period, and our story henceforward sufficiently attests the dominance of the old ecclesiastical abuses, side by side with increased neglect of pastoral work. Socially too the Church's influence is waning. Her bishops retain the high offices of State, but the real political guidance is evidently passing into the hands of the nobility. Even in the field of letters, once her monopoly, she does next to nothing.

Chicheley was succeeded by John Stafford, primate from 1443 to 1452. An illegitimate scion of an illustrious house and an able ecclesiastical lawyer, Stafford had been made treasurer in 1422, and two years later he secured by Beaufort's influence the bishopric of Bath and Wells.[1] In 1432 he received the great seal, and he retained it for eighteen years, acting usually with Beaufort's party and sharing with Suffolk the odium of the royal marriage with Margaret of Anjou in 1445. His resignation of the chancellorship in January 1450 was well timed. In February, Gloucester's party avenged his death by impeaching Suffolk. Suffolk's exile and murder in May were followed by the Kentish rebellion, and July brought the sacrifice of Lord Say and the reign of Jack Cade in London. August crowned our disasters abroad with the loss of Cherbourg, our last Norman fortress. Cade's rebellion was attended by serious disturbances in Norfolk, Sussex and Wilts, and, though unconnected with Lollardry, they gave ample illustration of the unpopularity of the clergy and the waning influence of the Church. Clerical non-residence was now terribly avenged in the case of Ayscough, Bishop of Salisbury, the king's confessor, who was murdered by the mob at Edington. 'He has always lived at court,' men cried, 'and never lived among us, or kept open house, so let him die.' Similar disregard for episcopal sacro-sanctity had been shown in January, by the murder of Moleyns of Chichester at Portsmouth, in connexion with the disaffection of our troops.[1] Attempts were also made this summer to harass the Bishops of Norwich and Lichfield and certain incumbents in Kent and Wilts, and Gascoigne records how the Dean of Salisbury and other good men attributed this anti-clerical temper to pastoral neglect. 'Therefore,' he remarks, 'are bishops and priests in contempt and hatred, because they do not exhibit an example of good life or offer teaching to the people,[2] but amass money, and do not reside in their cures nor display hospitality.' Stafford, though no longer chancellor, took the lead in the recovery of London, and he and Waynflete endorsed Kemp's promises of general pardon. These were effective in securing the dispersion of Cade's adherents. But probably it did not augment episcopal prestige that the pledge was as little honoured, when the danger passed, as that given to Wat Tyler's horde in 1381. Stafford's doings in his spiritual capacity are scarcely worth recording. Our subservience to Rome was rewarded in 1446 by Eugenius' sending Henry VI. the golden rose, and our primate happily evaded a suggestion that the clergy should requite this favour by paying a tenth for a crusade against the Turks. He also protected the ecclesiastical lawyers from vexatious applications of the Præmunire Statutes, and he bequeathed a Constitution for the stricter observance of the festival of Edward the Confessor.

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[1] Gascoigne states that he had 'sons and daughters' by a nun, while holding this see.

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[1] Moleyns had recently resigned the privy seal, and was regarded as sharing Suffolk's responsibility for the surrender of Maine. The soldiers allowed him to be killed by the sailors, though he was actually bringing their own long-delayed pay from London.

[2] He connects this neglect with Arundel's Constitution of 1409, and says that the licence to preach was only rarely accorded, and a substantial pecuniary equivalent demanded.

Stafford's successor, John Kemp, 1452-4, had also risen to notice as an ecclesiastical lawyer, and Arundel had employed him as counsel in the trial of Oldcastle. Kemp had since had a peculiarly varied experience of offices in Church and State. Canterbury was his fifth see, he wore the red hat, and was in his second chancellorship. We have noticed his adhesion to Eugenius at the time of the two Councils, and England's gratitude on his appointment as a cardinal-priest. Kemp, however, did nothing to endear himself to the northerners during his twenty-six years' tenure of their primacy (1426-52). He lived in London or his native Kent, rarely entered his province, and is said to have provided 'bad men and foreigners and Roman courtiers' to the diocesan dignities and benefices. He issued certain Constitutions against clerical immoralities and monastic misappropriations, but they were probably little heeded in the north. Henry VI. himself had to issue a proclamation against invaders of his parks and manors, and against certain 'sons of iniquity,' who published 'imaginary statements, destitute of all truth, against the Venerable Father John and his Church.' When, repeating Arundel's feat, Kemp secured translation to the greater primacy, Nicholas V. pretended to be the sole author of his elevation. Large payments and extraordinary oaths of allegiance to Rome were demanded, and Kemp shortly received diplomas as a cardinal-bishop and papal legate. He had received the great seal in 1450, and so changed were the times that he retained it to the last. The intimation of his death was not realized by Henry VI. till his recovery from his insanity a year later. His remark: 'Then one of the wisest lords in all this land is dead,' was justified. But Kemp's career had scarcely been that of an ideal diocesan.

Spiritual interests were, however, far more flagrantly neglected in the northern province after Kemp's translation. His successor at York was William Booth, Bishop of Lichfield, an ignorant upstart whom the Commons had included in their list of the king's unworthy favourites in 1450. His promotion caused general disgust, and Gascoigne describes him as alike immoral and illiterate, and as outdoing Kemp's malappointments by his shameless promotion of his young relations.

The author cited has left a gloomy picture of the Church in the reign of Henry VI. His own melancholy temperament may have darkened the shadows, but the testimony is at least that of one who hated Lollardry and was convinced that the papal intention was always right. The learning of Thomas Gascoigne was such that he was repeatedly Chancellor of Oxford, and it was only conscientious scruple that kept him from preferment in the Church. Asked by Henry VI. why he was not a bishop, he replied: 'Sir, I tell you if I wished to honestly get money, I would rather be a good tailor than the most learned doctor in England, while matters hold as they do in modern times.' Gascoigne depicts the contemporary prelates as very seldom preaching, largely non-resident, doing little or no good in their dioceses, and provoking a cry 'Woe to bishops who grow rich, and wish to be called lords and to be served on bended knee, and desire to do nothing in the way of preaching the word for the salvation of souls.' He attributes their demoralization to the evil example of Martin's curia. Appalling instances are given of the general misuse of patronage. The archdeaconry of Oxford, twelve prebends and a rectory or two were held, in Gascoigne's time, by a half-witted layman 'who had been the playmate of a great personage.' His friends boarded him at Oxford, and he received such returns from his benefices as a rascally agent thought fit. A married physician is described as holding two deaneries, two prebends, and a great rectory too. Patrons had learnt the trick of saddling their nominee with a yearly tax on his benefice; and the monks, who were the chief offenders, were wont to exact an oath before induction that there should be no subsequent suing for the full amount of the revenue. Papalist though he is, Gascoigne repeatedly emphasizes the connexion of the Church's corruptions with curial example, and especially with the papal sales of indulgences. 'Modern sinners say "I do not care what and how many sins I commit in God's sight, because I can easily and speedily get a plenary remission granted me by the pope, whose writing and grant I have bought for fourpence or for a game of tennis."' The character of the vendors finds illustration in the story of Peter de Monte leaving England with his spoil and swearing that the pope should not have a penny till he made him Archbishop of Milan.[1] The appointment of unworthy bishops and dignitaries, non-residence, pluralities, appropriation of titles by those who have no cure of souls, perfunctory absolutions, abuse of indulgences, indiscriminate grants of dispensations—these Gascoigne depicts in a University sermon as the seven 'streams of Babylon' by whose banks the Church sits down and weeps.[1]

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[1] Thorold Rogers notices that he actually succeeded in getting the bishopric of Brescia.

That less orthodox writers took an equally sombre view is more than likely, but Lollardry had not Gascoigne's immunity and has seldom left its verdict. In 1428 there had been a revival of persecution, stimulated doubtless by Bohemia's successful resistance to the crusade and the notoriety of the English Hussite, Peter Payne. It was heralded by a council held by Chicheley at St Paul's. Five persons were immediately afterwards examined and impelled to recant, and Ralph Mungyn, a friend of Payne's, was sentenced to imprisonment for life. Alnwick, Bishop of Norwich, followed up this initiative with a ruthless campaign against the Lollards in his diocese. William White, a priest who after an enforced recantation in 1422 had thrown up his orders and become a Lollard preacher, was now burnt at Norwich, and the example induced 120 persons to abjure and submit to penance. Two other priests, William Whadden and Hugh Pye by name, were burnt at Norwich in 1430, and the St Albans chronicler attests the consequent 'confusion of the infidels, and exultation of them who believe in the Catholic Church.' Similar horrors were to be witnessed in London. A 'ribald tiler of Essex' was burnt on Tower Hill, also Richard Hoveden, a wool-winder, who 'believed in no sacrament of the Church save matrimony only.' As in 1415, persecution incited combined resistance. Next year Gloucester had to suppress a rather serious disturbance at Abingdon, where William Perkins the bailiff collected 'a meinie of risers against men of holy Church,' 'promising them three priests' heads for a penny.' Perkins and five followers were hanged, drawn and quartered at Oxford, others in Coventry and London. Probably, as in Oldcastle's case, the terror of the rising strengthened the clerical cause; but it is obvious that this affair may be connected in more ways than one with the failure of Gloucester's anti-papal party to unseat Beaufort. Nine years later, Richard Wyche, a respectable Essex vicar, was burnt as a Lollard on Tower Hill. Despite all that had been done such victims had admirers in the lower orders, and the mayor and aldermen had to guard against visitors who carried off his ashes as relics. A few more instances of the atrocious penalty occur in the succeeding reigns. The most noted names are William Barlow of Saffron Walden, who 'despised the sacrament of the altar, and would make no confession to no priest' (1466), and John Goss, the intrepid martyr who demanded a good and competent dinner, saying 'I shall pass a little shower or I go to supper' (1484). Both were burnt on Tower Hill.

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[1] See Thorold Rogers' *Loci e libro veritatum*, pp. 35, 42-3, 53-99, 132, 168, 176. Gascoigne died March 1458.

Within the Lollard sphere of influence were doubtless many persons opposed to the ritual and superstitions rather than the dogmas of the Church, and particularly impatient of the negligence and worldliness of her pastors. Pecock's 'Repressor of overmuch weeting of the clergy' (1449-55) presents six somewhat heterogeneous bugbears. It defends *seriatim*—images, pilgrimages, clerical tenure of land, the graded hierarchy, the legislation of prelates, and the existence of monastic orders. Five others are mentioned more cursorily in this 'answer to the Bible men,' viz., invocation of saints, costly decorations, the ceremonial celebration of sacraments, the taking of oaths, the tolerance of war and capital punishment.

The author of the 'Repressor' was, however, himself to suffer on the score of heterodoxy, and his contribution to Protestantism is as recognizable as that of Lollardry. If Wycliffe supplied the idea of the transcendent importance of subjective religion, Pecock, whatever his mistakes, claims credit as the first English exponent of the principle of critical research. But the curious feature in this case is, that his application of the scientific methods so familiar nowadays left the investigator convinced of the infallibility of the pope. A Welshman of profound learning but conceited disposition, Reginald Pecock became Bishop of St Asaph in 1444. In his antagonism to Lollardry he undertook to justify not only the secularization of the bishops and their neglect of preaching, but their subordination to papal provisions and curial exactions. The pope, he argued, was only claiming his own, for bishops were but bailiffs for the Papacy and all their authority emanated therefrom. This of course was only an application of the teaching of the canonists. But Pecock reached his position by a circuitous route. He had read enough to realize the fallibility of the Fathers and ancient Councils. He turned, it seems, in desperation to the conception of an infallible Papacy, and combined a disparagement of other authorities with his defence of Roman encroachments. Naturally this strange fusion of rationalism and ultramontanism was peculiarly offensive to his contemporaries. Pecock arrayed against himself the orthodoxy that attributed divine inspiration to Fathers and Councils, the nationalism that appreciated the wisdom of Provisors Acts, the piety that deplored the corruptions of the Church and connected them with curial example.

Pecock in 1447 excited public indignation by defending at St Paul's Cross the diversion of bishops from pulpit ministrations, and the pope's claim to 'provide' to benefices and exact annates. Stafford remonstrated, but seemingly it was by his influence that the indiscreet champion was promoted to Chichester in 1450. His love of disputation now led him to publish divers works in which critical research was carried to perilous lengths. He conceitedly paraded his discovery that the current form of the Creed was not to be ascribed to the Apostles. He omitted the 'Descent into Hell' altogether in his Donet or paraphrastic 'Introduction to Chief Truths.' It was even said that he denied the doctrine of the Personality of the Holy Ghost.[1] The odium was doubtless augmented by his arrogance as a controversialist and his habitual assumption of a pose of intellectual superiority. His downfall, however, was really due to an imprudent letter, in which he warned Cannyng the lord mayor against the trend of Yorkist ambitions (1456). The retort of the assailed party was an allegation of heresy which was re-echoed from the London pulpits.[2] The

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[1] The real extent of Pecock's heterodoxy is of course not to be estimated by the six opinions he repudiated under compulsion. It would be easy for enemies to infer from a denial of the 'Descent into Hell' (or of the current materialistic explanations of it?) denial of the articles relating to the Holy Ghost, the Catholic Church and the Communion of Saints. The other two heresies he abjured were denial of infallibility of Councils, and claim to private judgment in the interpretation of Scripture. On these points he was of course guilty.

[2] That the attack on Pecock was prompted by political exigencies seems clear. The Yorkist prelate Neville was particularly active. The court party, however, readily followed the lure, and Henry VI. afterwards inserted a clause in the statutes of King's College requiring the expulsion of any Fellow who was a disciple of Wycliffe or Pecock.

Yorkist primate Bourchier seized the opportunity for a commission of inquiry, and the conclusion was reached that Pecock had 'disparaged the sacred councils,' and 'presumed plainly to go against the sayings of the more ancient doctors.' Bourchier gave him the alternatives of abjuration or the 'secular arm,' and the result was Pecock's public repudiation of six heresies at St Paul's Cross. An accessory of this function was the burning of the offensive literature—eleven quartos and three folios—and the London mob, always ready to harry a papalist, would fain have consumed their hapless author too (1457). A similar holocaust followed at Carfax, Oxford, and Bourchier, arguing that Pecock's heresies antedated his elevation to the episcopate and that the consecration of a heretic is *ab initio* defective, declared the see of Chichester vacated. Pecock appealed to Calixtus III., and this pope is said to have issued Bulls for his reinstatement which Bourchier evaded. His successor, Pius II. (1458), however, went against Pecock, and the end was that he was incarcerated by Bourchier in Thorney Abbey. He was to have 'but one person that is sad and well disposed to make his bed and to make him fire, no books to look on but only a porteous and a mass book, a psalter, a legend and a Bible, nothing to write with, no stuff to write upon.' The author of 'the earliest piece of good philosophical disquisition of which our literature can boast'[1] survived this intellectual starvation little more than a year.

To interweave a continuous ecclesiastical chronicle with the tangled political story after 1455 would be a needless task, for the repeated dynastic changes had really no effect on Church affairs. Henry VI. was deservedly reverenced for his saintly life, but in public affairs he had been almost a nonentity. The sway in Church and State was exercised by his ministers till 1445, and then by the domineering Margaret. After 1453 his effacement was justified by his attacks of mental disease. Edward IV. and Richard III.—despite or because of their unedifying lives—perpetuated Henry's interest in religion and deference to the Papacy. The usurper of 1483 was at pains to send two bishops to 'perform that filial and catholic obedience which was of old due, and accustomed to be paid by the kings of England, to the Roman pontiffs.'[1]

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[1] 'Pliancy of expression, argumentative sagacity, extensive learning and critical skill distinguish almost every chapter'—so Babington describes Pecock's 'Repressor'. It is remarkable that the papalist Pecock was the first Englishman to admit the spuriousness of Constantine's Donation to the Holy See. It appears undiscoverable whether he was enlightened by the investigations of the contemporary Italian critic Valla.

As on former occasions of upheaval, one result of our civil wars and dynastic disputes was an advance of papal interests. Everywhere, indeed, Rome was now recognized as the seat of a temporal sovereignty whose dignity it concerned other European potentates to maintain. She gave toleration to gross social and ecclesiastical abuses. She was protected in return against renewal of the old demands of Gerson and Hallam. Lollardry and constitutionalism were stamped out, but the new ultramontanism signally failed to justify itself as a controller of moral conduct. Never in English public life were perfidy, inhumanity and vindictive hatred more conspicuous than during these disordered times, and England was only exhibiting under peculiar conditions a demoralization common to Western Christendom.

The period of unsettlement is almost exactly spanned by the primacy of Thomas Bourchier, who was elevated in the year before the first battle of St Albans and lived to marry Henry VII. to Elizabeth of York. His adaptations to political environments seem marvellous, but such elasticity appears to have been the general characteristic of the bishops, and his story illustrates not only the Church's moral decadence but her insignificance in national affairs. The Bourchier family had supplied England's first lay chancellor in 1340. It had since intermarried with the line of Edward III. and attained an earldom, and its importance in these times was increased by the marriage of Thomas's eldest brother, Lord Bourchier, with the only sister of Richard Duke of York. Fresh illustrations of the misuse of patronage meet us as we follow the ascent of Thomas Bourchier. Interest in high places, rather than any spiritual or intellectual qualifications, secured him Worcester at the age of thirty (1435). Nevertheless, within two years he was discovered negotiating with Eugenius IV. for a translation to the sublimer sphere of Ely. Gloucester defeated this scheme, but the actual result was a more discreditable Government job, Ely being made over to Cardinal Louis of Luxemburg,[1] to provide him a salary as our chancellor of France. Bourchier's ambition was gratified in 1443, but only on the day of his installation did he officiate in Ely Cathedral, though reigning a full decade. When Kemp died (March 1454), York was 'lieutenant of the king,' and to his influence may be attributed the petition of the Commons that Bourchier should be promoted 'for his grete merits and grete blood.' Waynflete of Winchester, the most meritorious of the leading prelates, was accordingly passed over, and

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[1] Rymer, xii. 253, 254.

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[1] Louis took the revenues of Rouen too. He never entered his English diocese alive, though brought for burial to Ely Cathedral.

Bourchier was installed at Canterbury. His career henceforth was that of a mitred 'Vicar of Bray.' He appears as Margaret's chancellor this Christmas, and as York's after the fray at St Albans in May 1455. Becoming convinced of the legitimacy of the Yorkist claim, he crowned Edward IV. in 1461, and three years later he crowned Elizabeth Woodville too. Becoming Richard's tool, he secured the widow's surrender of the younger prince from the sanctuary at Westminster,[1] and, having easily digested the story of Edward's prior marriage, he conducted the usurper's splendid coronation in June 1483. With equal readiness he repeated the rite for Henry VII. after Bosworth Field (October 1485). The only occasion when Bourchier's star had seemed to wane was the brief counter-revolution of 1470-1. He now lay low in Lambeth Palace, while Warwick and his brother, Archbishop Neville, enthroned the poor demented Henry, and paraded him in the London streets. In Holy Week, 1471, however, Bourchier was greeting the Yorkist sovereign with a rival function at St Paul's; and with his blessing Edward marched out on Easter Day to the bloody field of Barnet. The victor shortly afterwards allowed Waynflete to invest him with the red hat in Lambeth Chapel.[2]

Less faithful was fortune to Bourchier's wealthy and sumptuous brother-primate. George Neville's early enjoyment of the good things of the Church seems to have been justified by learning and political ability. But his share in the defection of his family was great, and Edward punished it with characteristic duplicity. He was ostensibly forgiven after a short detention in the Tower, and next year the king proposed to come and 'make merry with him' at Moor Park. Neville made great preparations for this honour, but at the eleventh hour there came royal officers who seized his splendid accumulation of plate, and confiscated his vast wealth. His richly jewelled archiepiscopal mitre supplied a setting for Edward's new crown, and after four years' confinement he was deported in poverty to Calais. His sorrows were increased by Sixtus IV.'s availing himself of this occasion to abate the dignity of the northern Province. Scotland's protracted disloyalty to Rome during the Great Schism had enabled York to renew her old claim to hegemony, in spite of the emancipatory Bull of 1188. This pretension was now annihilated by a Bull (Aug. 1472) constituting St Andrews a primatial see with twelve suffragan bishoprics, and Neville pleaded vainly to Sixtus for compensation for the loss. Edward pardoned him in the summer of 1475, but he returned broken-hearted and died next year.

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[1] Saying, according to More, 'I will pawn my soul and body for his safety.' The whole affair attests, as Hook observes, a great depreciation of 'privilege of sanctuary' since 1378.

[2] There is record of Edward's applying for his elevation to the cardinalate in 1465, and of the request being granted in 1467. The delay in airing the honour in England shows that the old prejudices still lingered in the Yorkist party.

It remains to notice the extraordinary career of John Morton, who is the Bishop of Ely in the 'strawberry scene' of Shakespeare's 'Richard III.,' and who followed Bourchier in the primacy. Morton's distinction as a lawyer under Henry VI. secured him promotion to the Privy Council, and when the civil war broke out he was chancellor of the duchy of Cornwall, rector of Blokesworth, sub-dean of Lincoln, and a holder of three prebends. Though the clergy at this time seldom appeared in arms, he fought at Towton (1461), and was attainted by the victorious Yorkists. He fled the realm, came back for the counter-revolution, fought again at Barnet, and did not forsake the Lancastrian cause till the fatal day of Tewkesbury. Tendering his adhesion to the House of York, he was not only pardoned, but by a remarkable turn of fortune rose rapidly to the highest favours—Edward making him Master of the Rolls, Chancellor, and Bishop of Ely. Morton and Rotherham (who followed Neville at York) are said to have particularly benefited by Louis XI.'s douceurs on the occasion of the Treaty of Picquigny in 1475, but both contrast pleasingly with Bourchier in their loyalty to Edward's memory. It is evident they were regarded as obstacles to the usurpation, and after Richard's celebrated quarrel with the Council both were put in confinement. Rotherham submitted before the coronation. Morton, put under charge of Buckingham in Brecon Castle, secured his custodian's adhesion to the plot to enthrone Richmond. The duke made the ill-timed attempt that cost him his head. The bishop escaped again abroad, in disguise,[1] and aided Richmond's cause in Flanders. He is to be heard of again as chancellor, primate, and a cardinal.

Enough has been said to illustrate the laxity of these times, and the divorce of ecclesiasticism from high moral aims. The gloomy picture is to some extent relieved by evidences of great activity in building and enlarging churches, and adapting them to that spacious Perpendicular style in which Gothic architecture had found its climax. The loss of freedom and imaginativeness, and the drift of the prevalent norm to artificiality and over-elaboration, have sometimes been criticized as characteristic of the spiritual barrenness of the age. Equally obvious, however, are its grandeur and suitableness to congregational purposes, and the advance in technique is admitted by all. The Dean's chapel, Canterbury, the Lady chapel, Gloucester, the Beauchamp chapel, Warwick, King's chapel, Cambridge—the parish churches of Fotheringhay, Wolverhampton and S. Mary's, Edmondsbury—the towers of Crowland, Ripon, Gloucester and Taunton—suggest themselves as examples of an activity which in humbler forms might really be illustrated from every rural deanery. To what extent these pious labours were stimulated by sales of indulgences it would perhaps be ungrateful to inquire, but the papal practice no doubt commended itself for home use to many prelates. An instance which shocked Gascoigne was Kemp's ordering the vending of the ordinary absolution in the confessionals to secure the completion of York Minster. The central tower of Ripon too was rebuilt with the aid of an indulgence issued by Abbot Booth in 1459. The additions of private chantries, with endowments for Mass-priests, went on as briskly as in the days before Wycliffe. On the other hand, there were hardly any new Regular establishments, the last-mentioned method of composition with Heaven having superseded the once fashionable bequests for the prayers of monks and friars.

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[1] Bishops Woodville of Salisbury, and Courtenay of Exeter, were also implicated, and fled abroad.

A more unselfish form of munificence is attested in the story of the Universities. Before the death of Henry V. Bishop Fleming had added Lincoln College to Oxford. Chicheley, besides helping the Cistercians to raise St Bernard's—now St John's—founded and endowed All Souls'. Wykeham's educational institutions were copied by the pious Henry VI. in his foundations of Eton and King's, and the provision for

Cambridge scholarship was supplemented by Margaret with Queen's College in 1448. Scarcely second as an encouragement to the cause of learning was Duke Humphrey's gift of the library to Oxford. Gloucester's form of munificence was rightly regarded as contributing 'to the loving of God and increase of clergy and cunning men,' and it was repeatedly imitated on a humbler scale by donors lay and clerical. In 1480 such efforts were crowned by the addition of the exquisite Divinity School of Oxford, the morning-star of a purer faith, and the actual scene of many stirring episodes in the long Reformation conflict. If—as Gascoigne avers—the chief cause of the decadence of his University since Wycliffe's times had been episcopal discountenance of learning, some amends were made by Bishops Gray and Morton. Oxford showed its gratitude in 1483 by interceding for Richard's prisoner as 'a liberal patron, eminent son and indulgent father.' Nor must we forget that Bourchier has the merit of subsidizing the new art of printing. Caxton, with his assistance, published at least one work at Oxford, before setting up his celebrated press at the Westminster almonry (*cir.* 1471).

With the above exceptions, however, the Church was conspicuous by her absence in the intellectual revival, and it is significant of her degradation that, in this matter, the most prominent names are those of laymen —Arundel, Essex, Hastings, even Richard III.—rather than of clerics. A similar evidence of her stagnation is the rarity of all controversial literature after the extinction of the hapless Pecock, and the cessation of even such output as monastic chronicles. Some awakening of the clergy to a sense of their pulpit responsibilities seems arguable from the popularity of

John Merk's *Liber Festivalis*—first published in 1450. This assistant to the ill-equipped pastor provided not only detailed expositions of the Lord's Prayer, Creed and Ten Commandments, but a series of discourses for the Sundays and chief festivals. How far Lollard criticisms were provocative of Merk's enterprise must be left to conjecture, but he notices in his preface the prevalent neglect of this form of duty. 'Many have, as excuse, the want of books and the difficulty of reading.' This work must have found a fairly wide market, for it was one of the first issued from Caxton's press, and other editions of it appeared before the century's close. Such publications, however, can scarcely be regarded as stimulants to originality of thought. The renascence, retarded by our civil troubles, can indeed scarcely be said to be above England's horizon when our period closes, and, despite all the addition of colleges and libraries, it would really be difficult to find a counterpart between 1135 and 1485 for the rareness of intellectual fertility. Curiously enough, its worst phase was in the years immediately succeeding the introduction of the press. Readers, not authors, flocked to the red pale at Westminster, the value of the invention as a cheap distributive agency being recognized long before it became a stimulus to independent thought. It had been a time of compilations and translations, not original work. We can scarcely find an exception in the large output of treatises on alchemy and magic—'the fungous growth,' as J. R. Green says, 'which most unequivocally witness to the progress of intellectual decay.' 'There is not,' he adds, 'a single work either in Latin or in English which we can refer to the last years of the reign of Edward IV.' When Bourchier patronized Caxton it was, we may be sure, with no suspicion of the part the new invention would play in the reformation of the Church. Even its application to the dissemination of Holy Scripture was not tolerated. There is evidence enough of MSS. of an English Bible which has been satisfactorily identified with Purvey's translation[1] finding place in the libraries of the learned. But the old suspicion of uneducated readers long haunted our Church, and the press was not used for the multiplication of copies. All that was allowed, apparently, was such an incorporation of the Pentateuch and Gospel narratives as appears in Caxton's *Golden Legend* of 1493. In Germany the press was early used, with ecclesiastical sanction, for the dissemination of a vernacular Bible, and many editions of it antedate our Henry VIII. But no printed English Bible appeared before Tyndal's new versions of 1526-30, and these were strongly opposed by our prelates on the score of Lutheran annotations.

A few words may be added on the general aspect of the Western Church. Our volume closes at a time when, notwithstanding an increase of abuses, the papal system appeared to have triumphed over all its critics. The Italian intellectual revival, which was now nearing its zenith, had as yet but contributed fresh lustre to the Holy See. Nicholas V., the pacificator of Italy, had reigned with unsullied reputation, conspicuous as a patron of learning and art. No papal jubilee had been more successful than that of the mid-century, and his schemes for the extension of the Vatican Palace and for the complete rebuilding of St Peter's might themselves seem to augur an age of glory, surpassing the conceptions of Boniface VIII. The Turkish capture of Constantinople in 1453, though it broke the heart of Nicholas, really strengthened the position of the Papacy, as removing from its path the rival claims of the once formidable Eastern patriarchate. Nor must it be forgotten that a final flicker of religious zeal of the old kind is noticeable in the reign of Pius II. (1458-64). That Piccolomini, once the Imperialist secretary at Basle, lived to issue a papal anathema against all appeals to Councils and to quash the independence of France, may almost be deemed pardonable, in view of his devotion to the cause of the crusade against the aggressive Mohammedan. Our miserable civil troubles prevented any English response to Pius's appeal, and but little of the old enthusiasm was aroused in the other European kingdoms. There is, however, an undeniable impressiveness in the spectacle of a pontiff himself heading the cause of outraged Christendom, and dying engaged in the last and most justifiable of the Crusades.

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[1] See Appendix, Note vi.

To the sensuality and profligacy of Pius's successors, and the enlightening influence of the renascence, we may attribute the loss of the position so cleverly recaptured by Martin and Eugenius, and the preparedness of Western Christendom for the great sixteenth-century Reformation. The last popes of our period are the disreputable nepotists, Sixtus IV. (1471) and Innocent VIII. (1484); and their immoralities will be far surpassed by the infamous Borgia pontiff, Alexander VI., with whose sanction Savonarola was burnt at Florence and the Inquisition's atrocious persecution of the Jews and Moors inaugurated in Spain. How the foundations of the misused absolutism were meanwhile sapped by a new learning which blasted the reputation of the False Decretals and unconsciously accumulated material for constructive reformation in the revived study of Greek, it is not our business to relate. To reshape the ill-balanced programmes of Wycliffe and the constitutional reformers, to expurgate mediæval theology by the light of Scripture and the early Fathers, to secure for her Church independence without loss of continuity, was, we can perhaps see, the task inevitably awaiting England. But there was little realization of her maladies in the bad times of the Yorkist dynasty, and the remedies were to be prescribed by a new generation of Churchmen, and in connexion with political accidents as yet undreamt of.

LIST OF POPES, COUNCILS, AND SOVEREIGNS, 1135 TO 1485

POPES

Innocent II.	1130
Anacletus II.	"
Victor IV.	1138
Celestine II.	1143
Lucius II.	1144
Eugenius III.	1145
Anastasius IV.	1153
Hadrian IV.	1154
Alexander III.	1159
Victor IV.	1159
Paschal III.	1164
Calixtus III.	1168
Lucius III.	1181
Urban III.	1185
Gregory VIII.	1187
Clement III.	1187
Celestine III.	1191
Innocent III.	1198
Honorius III.	1216
Gregory IX.	1227
Celestine IV.	1241
Vacancy	1241
Innocent IV.	1243
Alexander IV.	1254
Urban IV.	1261
Clement IV.	1265
Vacancy	1269
Gregory X.	1271
Innocent V.	1276
Hadrian V.	1276
John XXI.	1277
Nicholas III.	1277
Martin IV.	1281
Honorius IV.	1285
Nicholas IV.	1288
Vacancy	1292
Celestine V.	1294
Boniface VIII.	1294
Benedict XI.	1303
Clement V.	1305
Vacancy	1314
John XXII.	1316
Nicholas V.	1328
Benedict XII.	1334
Clement VI.	1342
Innocent VI.	1352
Urban V.	1362
Gregory XI.	1370
Urban VI.	1378
Clement VII.	"
Boniface IX.	1389
Benedict XIII.	1394
Innocent VII.	1404
Gregory XII.	1406
Alexander V.	1409
John XXIII.	1410
Martin V.	1417
Eugenius IV.	1431
Felix V.	1439
Nicholas V.	1447
Calixtus III.	1455
Pius II.	1458
Paul II.	1464
Sixtus IV.	1471
Innocent VIII.	1484

ŒCUMENICAL COUNCILS

ROMAN COMPUTATION

10. Second Lateran	1139	[Pisa	1409]
11. Third Lateran	1179	16. Constance (*partly*)	1414-18
12. Fourth Lateran	1215		
13. First of Lyons	1245	17. Basle (*partly*)	1431-49
14. Second of Lyons	1274	Ferrara-Florence	1438-42
15. Vienne	1311-12		

KINGS OF ENGLAND

Stephen, Dec. 1135-Oct. 1154.
Henry II., Oct. 1154-July 1189.
Richard I., July 1189-Apr. 1199.
John, May 1199-Oct. 1216.
Henry III., Oct. 1216-Nov. 1272.
Edward I., Nov. 1272-July 1307.
Edward II., July 1307-Jan. 1327.
Edward III., Jan. 1327-June 1377.
Richard II., June 1377-Sept. 1399.
Henry IV., Sept. 1399-March 1413.
Henry V., March 1413-Aug. 1422.
Henry VI., Aug. 1422-March 1461.
Edward IV., March 1461-Apr. 1483.
Edward V., Apr. 1483-June 1483.
Richard III., June 1483-Aug. 1485.

EMPERORS

Lothair the Saxon	1125	Otho IV.	1208
*Conrad III.	1138	Frederic II.	1212
Frederic I.	1152	Henry Raspe, rival	1246
Henry VI.	1190	William of Holland, rival	1246-7
*Philip, Otho IV., rivals	1197	*Conrad IV.	1250

* Not crowned at Rome.

Vacancy	1254
*Richard, Earl of Cornwall, and *Alfonso, K. of Castile, rivals	1257
*Rudolf I. (of Hapsburg)	1273
*Adolf (of Nassau)	1292
*Albert I. (of Hapsburg)	1298
Henry VII. (of Luxemburg)	1308
Lewis IV. (of Bavaria), (Frederic of Austria, rival)	1314
Charles IV. (of Luxemburg), (Gunter of Schwartzburg, rival)	1347
*Wenceslaus (of Luxemburg)	1378
*Rupert (of the Palatinate)	1400
Sigismund (of Luxemburg), (Jobst of Moravia, rival)	1410
*Albert II. (of Hapsburg)	1438
Frederic III. (of Hapsburg)	1440

KINGS OF FRANCE

Louis VI.	1108
Louis VII.	1137
Philip II. (Augustus)	1180
Louis VIII.	1223
Louis IX. (St Louis)	1226
Philip III.	1270
Philip IV.	1285
Louis X.	1314
John I.	1315
Philip V.	1316
Charles IV.	1322
Philip VI.	1328
John II.	1350
Charles V.	1364
Charles VI.	1380
Charles VII.	1422
Louis XI.	1461
Charles VIII.	1483

* Not crowned at Rome.

APPENDIX

NOTE I

Canterbury, York, and the Legatine Office

(*cf.* pp. 12, 44, 54, 106-7, 142, 223)

THE principle of the False Decretals was that the pope as Universal Bishop had power to appoint his representative or legate in every national Church. The English accounts of the intrusion of a legate *a latere* in 1126 suggest the prevalence of an idea that the southern primate was legate by virtue of his office. It is clear, however, that Rome did not as yet acknowledge this prerogative. She appointed; and delayed the appointment till assured of the primate's subservience. She also superseded him at will by legates *a latere*. Some change was seemingly effected by Langton's visit to Rome in 1221. The primates henceforward 'received the ordinary legatine commission as soon as their election was recognized at Rome. They were *legati nati*, and the title of legate of the Apostolic See was regularly given them in all formal documents.'[1] But they still remained liable to supersession by legates *a latere*.

The case of Henry of Blois' elevation over the primate (1139) is unique, for the legation of William Longchamp (1190) had the excuse of the absence of Baldwin abroad.

The powers of both these legates extended over York; so, too, did those of Archbishop Hubert, legate for all England from 1195 to 1198. Ordinarily, however, York in this period maintained an independence of all legates save those from the papal court. Some of her primates (*e.g.* Roger and Walter de Gray) were certainly appointed legates for the northern province. This prerogative was probably recognized in the inter-primatial concordat of 1353, for there is proof of almost all de Thoresby's successors receiving the appointment till the time of Martin V.

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[1] Stubbs, *Const. Hist.*, iii. p. 300.

Martin, in the appointment of Henry Beaufort, probably designed to introduce a system of direct government overriding all those primatial prerogatives. But this scheme must have been dropped, for Stafford, Dene and Warham, though not cardinals, were certainly legates *ex officio*, and so, too, probably were their contemporaries at York.

The rivalry of the two primates was specially illustrated in the times of Anselm, William Corbeuil, Becket, Hubert, Richard, Baldwin, and Peckham—the commonest occasion of collision being the claim of the northern primate to elevate his cross within the southern confines. By the concordat of 1353 (effected between Simon Islip and John de Thoresby at the instance of Edward III.) the precedency of Canterbury was distinctly acknowledged. The southern archbishop was to bear the title 'primate of all England,' and, though the northern had the title 'primate,' he was to make at the time of his consecration an offering at St Thomas' shrine. 'With certain restrictions the bearing of the cross was allowed to each in both provinces.' Umbrage, nevertheless, adds Mr Makower, was taken, 'when Wolsey, Archbishop of York but not yet cardinal, caused his cross to be borne before him in presence of the cross of Canterbury.'[1]

NOTE II

Canon Law in the National Church

(*cf.* pp. 16, 55, 83, 231-2)

THE old theory, that Roman Canon Law was not held binding in the English spiritual courts till confirmed by our own Provincial Constitutions, seems to have been confuted by Professor Maitland. Sufficient evidence is given that the great English canonists, John of Ayton (*cir.* 1330) and William

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[1] Makower, *Const. Hist.*, p. 285 *seq.*

Lyndwood (*cir.* 1425), regarded the Roman Decretals as directly authoritative—so far as the temporal power suffered their enforcement. To override the qualification was the aim of the high churchmen from Becket onward; and their attitude is exemplified by Grosseteste's lamentation about the civil restraints that, in defiance of canon law, kept advowsons and presentations outside the sphere of the Church's courts. But in these courts—whose range was defined by such compromises as those of 1285, 1316—Roman canon law was operative. There is no sign of our ecclesiastics evolving a spiritual jurisprudence representing the *national* Church. The relation of provincial Constitutions to papal decretals was thus, it seems, somewhat like that of our County Council bye-laws to Acts of Parliament. 'The Archbishop,' says Dr Maitland, 'may make for his Province Statutes which are merely declaratory of the *jus commune* of the Church, Statutes which amplify it and give it a sharper edge. He may supplement the papal legislation, but he has no power to derogate from, to say nothing of abrogating, the laws made by his superior.' This applies, too, according to Lyndwood, not only to papal Decretals, but to the Constitutions of the legates *a latere* sent to England. Despite the legatine prerogatives of our primates, no English prelate, no English council, has any power, *e.g.*, to repeal or override the Constitutions of Otto or Ottobon, or even to put a statutory interpretation on them in any case of ambiguity (*cf.* Lyndwood, ed. 1679, pp. 154, 160, 246). Lyndwood was, of course, an extreme papalist, but on the point of our subservience to Rome Ayton gives precisely the same testimony, and there is, according to Dr Maitland, absolutely no evidence existent of contrary opinion.[1]

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[1] Maitland, *Canon Law in the English Church*, Essay I.

NOTE III

Convocation

(*cf.* pp. 121, 140, 145, 189)

THE two provincial assemblies, commonly called 'Convocation,' took their permanent shape in 1295. They represented the clergy for fiscal purposes till 1665.

Evidence of election of delegates for the ecclesiastical synod is found in 1225, when a southern synod includes—besides deans and priors—proctors sent as representatives of chapters. In 1254 this system was adopted for civil purposes, two knights from each shire and clerical representatives for each diocese being summoned to vote an aid. Similarly, in 1283, after the clergy had demurred to a subsidy on the score of their inadequate representation at the council at Northampton, Peckham was ordered to summon a council at London, including two proctors for the parochial clergy of each diocese.

In 1295 Edward summoned a Parliament, including the same representative lay elements that have ever since appeared. As a counterpart to the lay knights and burgesses, the bishops were charged by the *præmunientes* clause of the writ to bring with them the following—heads of chapters, archdeacons, one proctor for each chapter, two for the clergy of each diocese. It might have been expected that the result would be an amalgamation of the lay and clerical elements—the prelates combining with the lay nobles for fiscal purposes, as in the House of Lords, and the proctors combining with the commoners. But the Churchmen resolutely refused such fusion. 'From 1295 to 1337,' says Sir Travers Twiss, 'there were continual contests between the spiritualty and the Crown,' the former pressing 'their constitutional right to vote their subsidies in their provincial Convocations, the Crown . . . insisting on the immediate attendance of the clergy in Parliament.' In 1337 Edward III. gave up the struggle so far as to authorize the metropolitans to convene their clergy in provincial assemblies. Nevertheless the *præmunientes* clause was continued in the

Parliamentary writs issued to the bishops. The clerical proctors, therefore, sometimes put in an appearance in Parliament (see note IV.), but not for the voting of supplies.

In 1296, 1297, the whole clerical body resolved itself into four houses, thus: (1) Bishops, (2) Regulars, (3) Deans and archdeacons, (4) Proctors of parochial clergy. But eventually each province had its separate Convocation, and in each, early in the fourteenth century, there was an adaptation to the twofold division of Parliament. The bishops and abbots, after a joint opening session, remained to form an independent 'Upper House.' The other members withdrew to deliberate as a 'Lower House.' No place, however, was found for proctors from Wales in Convocation till the reign of Henry VIII., for save in Edward II.'s Parliament of York, 1322, Wales was not represented in the Commons.

The summons to vote taxes was by no means always cheerfully responded to by the proctors, and all prospect of Convocation's emergence as a kind of spiritual Parliament was precluded, first by the prelates retaining their seats in the House of Lords, and secondly by the weakness of the provincial system. A really national clerical council could not easily be called, in view of the standing inter-primatial jealousies, nor is there a trace of one between 1294 and 1537. Makower, however, notices the considerable influence exercised by the Convocations in religious and political matters. 'They were able, by a liberal employment of ecclesiastical methods of coercion, to procure obedience to their resolutions (which they did not submit to the king for ratification) even from the laity. In virtue of their right to determine the taxes . . . they were in a position to exert constant pressure on the Government.'

The representative principle seemingly embodied in Convocation was really always quashed by the predominance of nominees of the king or bishops, the disproportion being specially marked in the southern province, which had two proctors only for each diocese. Even in the northern province, where each archdeaconry contributed two proctors, the representative element must have been balanced, as now, by almost as many deans, archdeacons, and canons as nominees of the parochial clergy.'[1]

NOTE IV

The Clergy in Parliament

(*cf.* pp. 121, 140, 145, 189)

THE prejudice against amalgamating with the laity for fiscal purposes in no way impeded the prelates from taking an ample part in the conduct of State affairs. Besides the twenty-one bishops, there were in the House of Lords some twenty-five abbots, two priors, and three heads of orders; and with their ranks thus swelled the spiritual peers slightly outnumbered their lay brethren. In the Reformation Parliament of 1529, before the attack on the monasteries, the proportion was forty-eight of the former to forty-four of the latter.[2] The ecclesiastics were allowed to abstain from voting when measures involving any shedding of blood were to be passed, and they usually took the same course when—as in the reigns of Edward III. and Richard II.—Statutes directed against the Papacy were in hand. In the Provisors Statutes of 1351, 1353, there is no mention of the clerical estate, and against that of 1365 it recorded the protest quoted in our text. So again, to the Provisors Act of 1390 there was attached a protest against anything that should tend 'in restrictionem Potestatis Apostolicæ aut in subversionem enervationem seu derogationem ecclesiasticæ libertatis.' A similar attitude to the Præmunire Statutes of 1393 is evidenced.

A marked contrast to the Upper House was offered by the Commons, the clerical proctors being usually contented with the burden of attendance in the Convocations. Traces of the clerical element are, however, discoverable under Richard II., Henry IV., and Henry VI. A noted instance is that of Canon

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[1] The retention of the mediæval system in the revived Convocations of to-day gives only 54 proctors in a Canterbury 'lower house' of 175 members. In that of York there are some 30 proctors, and nearly as many deans, archdeacons, and canons. Makower finds a precedent for the more liberal York arrangement as far back as 1279.

[2] Makower, *op. cit.*, p. 209.

Haxey, against whom Richard II. took proceedings in 1397 for moving in the Commons that the management of the royal household was inordinately expensive. In the same year the Lower House animadverted on the common absence of the clergy, and secured the appointment by Convocation of a layman, Sir Thomas Perry, to represent the clerical opinion. Thenceforward to the sixteenth, and perhaps the seventeenth century, there are instances of the clergy and chapters sending such lay representatives to Parliament.

In 1621 a theory of clerical incapacity was broached on the ground that the clergy 'had a voice in the Convocation House.' It survived the extinction of the fiscal duties of Convocation, and was legalized in 1801-2 for political purposes, though Convocation was now not even allowed to conduct debates. This injustice was professedly redressed in 1870 by an admission of the clergyman to the ordinary privilege of English citizenship on condition of renunciation of his holy orders.

NOTE V

Demoralization of the Monasteries

(*cf.* pp. 18, 134-5, 160, 163, 190)

STRIKING evidence of early laxities in the monastic system and of their defying episcopal activity is presented by the now published Registers of Bishop Grandisson. In 1334-5 the prior of St James' near Exeter is described as 'oftentimes convicted of embezzlement and fornication,' regardless of the services and fabric, 'wandering about the country,' and discarding 'the modesty of his monastic profession.' Grandisson writes in vain to the parent house of St Martin, and in 1338 this prior is still reigning. In 1328 the Abbot of Tavistock is depicted as a drunken brawler who 'holds himself aloof from all religion and worship.' He holds office still in 1333, 'committing many offences which we pass over in silence through reverence for the monastic order,' while the house is brought to the verge of ruin. Grandisson, who has corresponded with the pope since 1328, now succeeds in deposing him, but his successor is little better, and complaints ranging from 1338 are not redressed till 1348, when he is degraded 'as defamed by many excesses,' which have caused general demoralization and much damage to the property. An equally bad case is that of Barnstaple, 1322. The prior has retired to Paris and put in a substitute, who is accused of rearing a family at the expense of the house and is suspected of embezzlement. Grandisson is unable to remove him, and he dies in 1334 leaving the house in a state of grave financial embarrassment.

There is no reason to believe that the Regulars of the Exeter diocese were exceptionally depraved. On the other hand, few bishops had will, leisure, or power to conduct such visitations as are recorded in these Registers. In view of the common allegations in serious devotional literature as well as in that of a satirical or a Lollard character, Mr Coulton seems justified in concluding that before the Black Death the monastic system was lax and often tainted with grave moral scandals, and that after the rise of Lollardry things went from bad to worse, the diocesans being henceforward induced to cloke them.[1] The charges, he remarks, are successively made by Bacon, Bonaventura, Jacques de Vitry, Rulman Merswin, Langland, Wycliffe and Gower, and find a repetition in the orthodox French reformer Gerson. De Vitry excepts only the Cistercian nunneries, in his terrible indictment. Mr Coulton shows that the Visitations of Bishop Nicke of Norwich (1514-20) reveal almost as grave instances as Grandisson's, for both monasteries and nunneries. It was by this general decadence and its defiance of episcopal activity that a plausible pretext was given for the unscrupulous calumnies of Henry VIII.'s infamous commissioners.

NOTE VI

Præ-Reformation Translations of Scripture

(*cf.* pp. 168-70, 204, 252)

THAT translations of the Gospels and Psalms were current before Wycliffe's time is now uncontested. It is recorded of Archbishop Fitzralph that he sometimes read the whole Sunday's Gospel in English (presumably from a current version), before preaching on it. Arundel, too, when preaching the funeral sermon over Richard's Bohemian queen, extolled her for her study of the Gospels in English, along with orthodox commentaries of his providing. Two versions of the Psalms are known, one by William of Shoreham, a parish priest, the other by Richard Rolle, the hermit of Hampole. Both date *circa* 1335.

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[1] *Mediæval Studies*, i. and vi.

Of translation work beyond the limits mentioned on pp. 168, 169 there is no evidence, unless we adopt Dr Gasquet's view that the versions commonly attributed to the Wycliffites are 'in reality the Catholic versions of our præ-Reformation forefathers.' The recent controversy[1] on this subject appears to have resulted in a complete corroboration of the traditional view. The version usually said to be edited by Purvey in 1388 has been shown to bear in its preface convincing proof of Lollard authorship. Equally strong evidence connects the so-called Wycliffite version of 1380-4 with Hereford the follower of Wycliffe. Moreover, the theory that the Lutterworth group only issued 'glosses on an already translated Bible' is confuted by the language alike of Wycliffe and his enemies. 'This Master John Wycliffe,' says Knighton, 'translated from Latin into English the Gospel which Christ gave to clerks and teachers of the Church so that they might sweetly minister to the sick and infirm. In this way he made it common, etc.' Wycliffe himself records how 'one great bishop is evil pleased that God's law is written in English to lewd men, and pursueth a priest because he writeth to men this English, and summoneth him.' He devotes a whole chapter in the *De Officio Pastorali* to the friars and their supporters, who say it is heresy to write God's law in English. 'The commons of England,' he argues, 'know it best in their mother tongue.' 'This moveth some men to tell in English Paul's Epistles, for some men may better know thereby what God meaneth by Paul.'[2]

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[1] See Mathew, *Authorship of the Wycliffite Bible*; Kenyon, *Our Bible and the ancient MSS.*; Gasquet, *Præ-Reformation English Bible.*

[2] *Cf.* Mathew, *op. cit.*, and *Select Works of John Wycliffe*, i. 209, 429, 430.

That the Church eventually quite altered her attitude to this Wycliffite Bible is perhaps explainable by the conditions obtaining abroad. There were French and German translations of the Bible before Wycliffe's times, and England's alliance with the orthodox reforming party abroad may well have swept aside the repressive policy contemplated by Arundel. The Church, therefore, we suppose, instead of suppressing the Wycliffite translations took them into her protection, treating them as literature allowable to readers of certain qualifications. It is from 'Purvey' that Pecock makes all his Scriptural quotations. Henry VI. himself gave the Carthusians a handsomely-bound copy of this version. There is evidence thenceforward of its possession by monastic libraries, and it appears to have been used by such reactionary bishops as Tonstal, Heath and Bonner. In this complete rehabilitation presumably lies the explanation of Sir T. More's account of 'fair and old MSS. of the English Bible provided with the knowledge of the bishops,' and of his mistaken inference that 'translations were already well done before Wycliffe's days.'[1] More's misconception may have been facilitated by the later Lollard practice of issuing translations of less honest character, accompanied by partisan glosses. The existence of these is evidenced by the excommunications denounced by Beckington (Bath and Wells, 1443-66) against those 'who make English translations of the Bible and those who copy them,' and by the account of Bishop Fitzjames destroying a copy of Scriptures used by the London Lollards in 1515.

[1] *Dialogues*, fol. cviii., cxi., cxiv.

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